App.F.IX-4]

1924

File No. 191-24

Previous References. (Courts

Serial Nos. 1—8

Later references.

CS 248-23-1
Pol. Dep. 26-2-
Pris 16-348 & 2.4.5+7

GENERAL & REVENUE SECRETARIAT

Serial Nos. Enclosures

Part B for August 1925

SUBJECT

Memorials of Gurukar Puttanaiyappa and Puttappa, accused and sentenced to death in Mysore sessions case No 14 of 23-24 on the file of the sessions judge, Mysore.

No P 3358/78-7-25

To the Registrar of Court

Forwarding copies orders passed by H.H. commuting the sentence of death passed on Puttanaiyappa to transportation for life and rejecting the memorial of Puttappa

Mamasammy Iyengar
17/8/25

G. R. S. 58]

Previous references.

File No. 9-15

1915-16
(S.F.)

Serial Nos. 157 and 164

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 157 and 164

Part B for July 1916

SUBJECT.

House building advance to Mr. K. Keshavayya, Art Instructor, Maharaja's College, Mysore—

S.C. 157, Proposal—

Reasons for sanction the application of Mr. K. Keshavayya for the grant of an advance of one year's pay to enable him to build a house in Vidya Extension, Mysore.

W D 1351—GPB—2,000—13-12-15

S.C. 164, G.O. order—

Sanctions the proposal—

M. Kantharaj Urs
17-7-1916

G. R. S. 11] 19[illegible]

GENERAL AND REVENUE SECRETARIAT.

(CS)

NOTES.

File No. 191-25

FILE HEADING.

Memorials of Puttu Nanjappa and Puttappa accused and sentenced to death in mysore Sessions case no 14 of 23-24 on the file of the Sessions judge mysore Dn

From

The Regr Chief Court

No. 487/CR Dated 2.1.25 Received 3-1-25

Diary No. 2860	Enclos. 1 file Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards the memorials of Puttu Nanjappa and Puttap[illegible] have been accused and sentenced to death in mysore Sessions Case no 14 of 23-24 on the file of the Sessions judge mysore.

From Secretariat to GG. memo. no 2051 dt 25-12-24. Forwards the petition of Puttu nanjamma the wife of accused Puttu Nanjappa praying that her husband may be released.

NOTES AND ORDERS.

1) In mysore Sessions case no 14 of 23-24, three accused were sentenced to death. Both appeared, the sentences of the first and third accused were confirmed on appeal to the Chief Court who alone have now memorialised. Both of them plead innocence.

2) Submd

NOTES—First Sheet.

8/1/25

2826 2800 2958 3310 1 (2) B193

Serial No.

(2) Special diaries of the investigating officers are referred to in the judgment of the Chief Court. Please send for them.

16/1

(3) Send with adsgt

16/1/25

(4) Send

17/1

3. To the D.G. of Police No P. 3652 dt. 19.1.25

State that memorials have been received from the accused 1 & 3 in Mysore Sessions Case no 14 of 23-4 on the file of the Sessions Judge Mysore Dn. and request to forward the Special diaries of the Police in the investigation of the case.

4. From

The Private Secy to H.H. memo no 2203 dt 17-1-25

Forwards a petition from Putta Ramamma praying that her husband Putta Ranjappa may be released.

5. From

The D.G. of Police. Letter no C 1621 dt 24-1-25

Forwards the Special diaries as called for

5) Send with reference to para (2) above

3/2/25

3427

From.

Serial No. 6

The Regr. Chief Court. Letter no 6108 5.2.25

Forwards a second memorial from Penukar Puttanaiyappa together with certain original records

5) The Special Diaries required in para (2) above have been received (Flag W) 7/2/25

7) Note is put up separately

7/2

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9) The prosecution case is as follows:--
Nagarle is a village about 5 or 6 miles distant from Nanjangud on the road fron Nanjangud to T. Narasipur. The deceased Amir Sab and the first accused Gurukar Patel Nanjappa were both influential and well to do residents of that village. There were long standing disputes between them. The 2nd accused, Manegar Putnanjappa is the brother of the Patel of Nagarle and a relation of the 1st accused. He was the Octroi Manegar in the Nanjangud Municipality. The 3rd accused Buttappa is a Lingayet and a close friend of the 1st and 2nd accused who were also Lingayets. The 4th accused Chenna Setti is a Ganigar and a tenant of the 1st accused. The 5th accused is a Lingayet tenant and a relation of the 1st accused. The 6th ~~accused~~ and 7th accused are pariah servants working under the 1st accused. The accused 4 to 7 are the residents of Nagarle.

10) The longstanding ill-will between the 1st accused and Amir Sab culminated in a theft of paddy crop on the 1st accused's lands on the night of Sunday the 13th January 1924 when one Boodi Siddana Era was caught red handed cutting the crop. A panchayet was held on the following day at which Boodi Siddana Era was made to pay a fine. Era thereupon promised to bring the fine and went away but did not turn up and so Chakran Nanja was sent to fetch him. Era was found in Amir Sab's house and he promised to go. He did not do so and when again Nanja was sent, he refused to pay the fine.

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11) Thereupon the Panchayetdars decided that a complaint should be lodged against him ~~to~~ before the Police. A complaint petition was written by the 2nd accused who had gone to Nagarle and the petition was signed by the patel also. On the morning of the 15th, Chakra was sent with the complaint petition to the Police Station at Kowlande At about 10 A.M. the accused 1, 2 and 3, ~~and~~ one Srikantiah and Gafoor Khan left Nagarle in a cart for Nanjangud and Hottedeva was walking behind it. When the cart passed Amir Sab's house in that village, Boodi Siddana Era stopped the cart and questioned the first accused whether he was going to lodge the complaint petition in spite of his request not to do so. On his being ~~stated~~ replied so in the affirmative, Era ~~thrxwx~~ threw a shoe on the persons driving in the cart and ran away when he was ~~being~~ threatened to be caught. The 2nd accused then suggested to the 1st accused that if it cost each of them Rs.500 they should properly deal with Era and the man who instigated him, meaning thereby Amir Sab. After the cart went a short distance the 1st accused sent Hottedeva back to the ---- village with instructions to fetch the accused 4 to 7 with Machu, Donne and Beeso Kodli. After the accused 1, 2 and 3, ~~and~~ Srikantiah and Gafoor Khan arrived at ~~Seringapatam~~ Nanjangud, they left Gafoor Khan behind at Nanjangud and engaging a Motor car, left for Kowlande. Since they did not find the Sub Inspector there, they returned to Nanjangud

NOTE—Contn. sheet.

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at 6 P.M. On their way back Hottedeva and ------- accused 4 to 7 who were waiting for them saw them and accused 5 and 6 got into the car. All of them again met at a Chatram behind the temple of Srikanteswara at Nanjangud and were talking.

1) Amir Sab who had gone to Mysore on Tuesday morning returned to Nanjangud by the evening train and was passing by the chatram. The 7th accused who ~~was~~ saw him told the other accused of this, Whereupon the 2nd accused ran after Amir Sab with whom he was not on terms of open hostility. The second accused was leading the ~~by~~ bicycle of Amir Sab who was walking by the side. Accused 3 to 7 followed them, as also the 1st accused and Hottedeva. It was then that Gafoor ~~Sab~~ Khan told the 1st accused that he would go and beat and twist the limbs of Amir Sab. 1st accused told him that that would not do and that Amir Sab's life must be put an end to. After saying so the 1st accused and Hottedeva left the place and returned to Nanjangud. Gafoor Khan and the 7th accused followed ~~after~~ the 2nd accused and Amir Sab along the road, while the accused 3, 4, 5 and 6 took a short cut ~~course~~ through the fields and anticipated them at a bend in the road. There the 3rd accused struck Amir Sab about the face and head with the Mochu he had taken from the hands of the 6th accused, the 4th accused pulled his legs and brought him to the ground, the 3rd accused cut him again with the mochu on the neck and the 4th and 5th accused

NOTE—Contn. sheet.

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dragged the body of the road and left it in the lane behind a hedge. The 2nd accused let go the bicycle and ran towards Nanjangud as the 3rd accused began to strike Amir Sab with the Machu. Gafoor Khan and the 7th accused also ran back to Nanjangud as soon as Amir Sab fell and they were followed by the 6th accused. After the life of Amir Sab was extinct, the accused 3, 4 and 5 also went back to Nanjangud. There accused 3 to 7 and Gafoor Khan were joined by the 1st accused and Hottedeva who were informed that the deed had been done. A fire was lit and the blood stained towel of the 3rd accused and some papers of Amir Sab which had been picked up at the scene of the murder by the 4th accused were burnt. Then the accused 3, 4, 5 and 7 returned to Nagarle by the Chamarajnagar road. On the way the 4th accused to whom the 3rd had handed over the machu after the murder threw it into the channel near Gooloor. Gafoor Khan was sent to Kempava Hotel. Hottedeva took the cart and accused 1 and 5 to the house of one Madappa, left them there and himself went to Kempava's hotel where he took his meals and slept. The next day i.e., on the 16th he drove the 1st and 5th accused in the cart to Kowlandi and on that night, he and accused 1 and 5 returned to Nagarle

13) Meanwhile since Amir Sab did not return home on Tuesday evening, his mother and aunt became anxious about him and they sent Amir Sab's brothers Ghouse Khan and Peer Sab and his nephew Gafoor in search of him to Nanjangud. They came to Nanjangud

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at 11 P.M. and made enquiries in the house of Thippiah, Amir Sab's pleader and learnt that Amir Sab was going on the road to Nagarle at 7 P.M. with the Monegar leading his bicycle. The three men returned to their village and not finding him, Ghouse Khan went again to Nanjangud on the next day and ascertained from ~~him~~ Mr. Thippiah that the Monegar that went with Amir Sab was the 2nd accused. He subsequently learnt that his brother lay murdered. He immediately laid information to the police. When ~~his~~ statement was being recorded, the patel of Hosalvadi who got information about the dead body in the lane had also sent in his report and that was received by the Police. The first information report was sent to the magistrate immediately and the Amildar and the Inspector both proceeded to the spot and held an inquest. The body was found in a lane leading from T.Narasipur 2 miles 3 furlongs from Nanjangud.

14) After the inquest the body was sent ~~to the~~ post mortem examination and the Amildar took up the investigation and examined a few witnesses among whom was Gafoor Khan. On the 19th the District Superintendent of Police took up the further investigation and examined Hattedeva among others and ~~got~~ got all the accused arrested. On the next day he seized at Honiyamhalli village ~~wh~~ within a mile from Nagarle a Panche worn by the 3rd accused and the chaddi and shirt worn by the 4th accused. On the information given by the 1st accused a banion was found in the well behind his house. On ~~information~~

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On information given by the 3rd accused we machu article No.6 was found in the channel near Gooloor within half a mile or so from Nanjangud. The coat was also produced on the information of the 3rd accused from the house of his father-in-law Siddappa and the Chemical Examiner to whom all the articles seized were sent, found mammalian blood on this coat. After further investigation a charge sheet was placed againt all the accused before the magistrate on the 1st February. The magistrate committed the accused to stand their trial before the Sessions Judge charging the 1st accused with the offence under Section 302 and 109 I.P.C. and accused 2 to 7 with the offence under Section 302. I.P.C

151 The Sessions Judge found the following facts.

(1). Longstanding enmity between Amir Sab and the 1st accused

(2) Theft, Panchayet and the conduct of Era in refusing to pay the fine.

(3) 2nd accused writing the complaint petition which was sent to the patel

(4) Boodisiddana Era throwing the shoe

(5) Accused 1, 2 and 3 and Srikantiah going to Kowlande and returning to Nanjangud

(6) Muthiah and one Ananthanarayana seeing ~~saw~~ the 2nd accused leading the bicycle ~~xxxxxxxxxxx~~ with Amir Sab walking by him on the night of the 15th January from Nanjangud towards Nagarle.

(7) Ghouse Khan going to Nanjangud in search of Amir Sab and his being told by Thippiah that Amir Sab went with we

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(8) The 3rd accused ~~was~~ seems a companion of the 1st accused and an ~~xxx~~ enemy of Amir Sab.

16) With regard to the facts just preceding the murder the only evidence available was the testimonies of Hottedeva and of the approver Gafoor Khan. With regard to Gafoor Khan the Sessions Judge remarked that he was an accomplice , that his story was not wholly true, that there were concoctions in it and that he did not come out ~~of~~ with the whole truth for two days, but at the same time ~~he~~ ~~found~~ found that his evidence was corroborated by other evidence direct as also circumstantial. Therefore he found that the evidence of the approver was substantially true and was fully corroborated in material particulars and thus his evidence established ~~the xxxxxxxxxxx~~ guilt of the accused.

17) With regard to Hottedeva, though ~~Hottedeva~~ he was closely related to Chikka Era the enemy of the 1st accused and a friend of Amir Sab and though Hottedeva's father was a servant of Chikka Era and Hottedeva was cited as a witness for Chikka Era in a case filed by him against the 1st accused, yet he found from the fact that the bond executed by Hottedeva and his father in favour of the 1st accused in the year 1920 not having been enforced by suit in a court of law, ~~lead the Judge to believe~~ that it was possible that Hottedeva was serving as a servant under the 1st accused at the time of the occurrence. ~~The~~

18) The Sessions Judge disbelieved some portion of Hottedeva's evidence about hiding the mochu and Donne in the temple. Hottedeva further said that

NOTE—Contn. sheet.

he never saw Amir Sab on that day, his evidence discloses that he had no idea of any conspiracy to murder Amir Sab. The Sessions Judge did not consider Hottedeva as an accomplice and he was also of opinion that even if he was considered as one, there was evidence to corroborate his testimony.

19) The finding of the Sessions Judge was that there was no evidence to connect the accused 4, 5, 6 and 7 with the conspiracy. He did not place any value on the so called confessions of the accused 3, 4 and 6 and those accused had stated that they were tortured to confess by the Police officials who, when examined as witnesses, did not deny that fact. He therefore concluded that though there were strong suspicions that the accused 4 to 6 took some part in the crime, there was not sufficient evidence to convict them. He gave them therefore the benefit of doubt and agreeing with the assessors found them not guilty and acquitted them.

20) With regard to 3rd accused he found him taking the leading part in committing the deed as evidenced by the blood stained towel being burnt, the coat containing the mammalian blood belonging to him and the machu being was traced on his information. He found the 2nd accused also taking the leading part and therefore he found accused 2 and 3 guilty of the offence of murder under Section 302 I.P.C and sentenced them to be hanged.

21 With regard to the 1st accused he found that he abetted the accused 2 and 3 to commit murder and found him guilty of the offence under Section 302

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and 109 I.P.C. and sentenced him to death.

22 Against this sentence an appeal was filed before the Chief Court. The question were turned up on the point as to whether Hottedeva was an accomplice or not. It was held that he was not an accomplice and even if he was, his evidence was corroborated in material particulars and so his evidence was fully believed.

23 With regard to the approver the Chief Judge remarked "leaving aside the approver, whose evidence in recorded form did not come into existence till his examination before the committing magistrate and he admittedly did not tell anything material to the police, till after the whole story of the crime had become known to them and whose evidence therefore might easily not be entirely free from tution and prompting....."

24 This shows clearly that much reliance cannot be placed on the evidence of Gafoor Khan. The Judges of the Chief Court came to the conclusion that Hottedeva's evidence was corroborated by the evidence of the other witnesses and therefore confirmed the conviction and sentence on the 1st and 3rd accused but with regard to the 2nd accused they held that he may not have known till the 3rd accused actually began striking Amir Sab with a machu that more than a severe beating was intended and the fact that he protested and ran off back to Nanjangud after the 3rd accused hit Amir Sab with the machu lends support to that doubt. He was therefore given the benefit of doubt and he was

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found guilty of causing grievous hurt, an offence punishable under Section 325 I.P.C. and 114 I.P.C. and ~~xxxxxxxxxxx~~ his sentence was reduced to one of 7 years' rigorous imprisonment.

25 Accused 1 and 3 have now appealed to the mercy of His Highness the Maharaja.

26 The question then is whether there are any extenuating circumstances.

27 The evidence relied upon for conviction rests solely on the testimony of the Approver Gafoor Khan and that of Hottedeva. ~~Ghouse~~ Gafoor Khan is an accomplice With regard to Hottedeva he was held ~~xxxx~~ not to be an accomplice though in popular sense he was held to be one.

28 With regard to ~~Ghouse~~ Gafoor Khan as pointed out above the Sessions Judge remarked that his story was not wholly true, that there were concoctions in it and that he did not come out with the whole truth for 2 days.

29 With regard Hottedeva though the Sessions Judge found him to be a servant of the 1st accused at the time of the occurrence yet the fact that his father was a friend of Amir Sab and was inimical to the 1st accused shows that his evidence is not free from bias. With regard to his evidence also the Sessions Judge has stated that some portions of it were mere fibs.

30 There is no evidence to show that any of the accused knew that Amir Sab had gone to Mysore on the 15th morning and was returning that night.

31 The Chief Court has remarked that Hottedeva

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did not know that there was a conspiracy and the object of the conspiracy was to murder Amir Sab. In fact they found that the 2nd accused also had no knowledge of the intention to murder Amir Sab so that, till the 1st accused is alleged to have told Gafoor Khan of his intention that Amir Sab should be murdered, there was no idea at all of murdering him and the only evidence as to the 1st accused telling Gafoor Khan of this is the testimony of Gafoor Khan and Huttedeva. Their testimonies are not unmixed truths as pointed out above and as found by the Sessions Judge. It is not therefore unlikely that these two witnesses might have coloured their versions (in order to implicate the 1st accused) with the conversation alleged to have taken place between Gafoor Khan and the 1st accused. Barring that one circumstance there is no other circumstance showing that the 1st accused intended to murder Amir Sab.

32) With regard to the 1st accused therefore there is not clear and convincing evidence to prove that he abetted the murder of Amir Sab. He might not have known that more than a severe beating was intended and therefore the circumstances which led the Chief Court to infer that the 2nd accused had no knowledge that murder would be committed may as well be inferred in the case of the 1st accused. The 1st accused would therefore have been guilty of an offence under Section 325 and 114. Not taking these

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Taking these facts into consideration the sentence of death passed on the 1st accused may be commuted into one of ~~transportation for life~~ imprisonment as in the case of the 2nd accused. The object with which the accused 3 to 7 went after Amir Sab might have been to give him a severe beating and there probably in a quarrel that ensued, the 3rd accused might have exceeded the limits and used his Mochu and this circumstance may be considered in favour of the 3rd accused in reducing his sentence also to one of transportation for life.

'38) L.H.S.C.J. 18/2

24 The Assistant Secretary has exhaustively dealt with the case and he has carefully analysed the evidence ~~regarding the case~~. I have carefully gone into the whole evidence and the judgment of the lower Courts. The facts found by the ~~Lower~~ Court have been fully set out in the judgments and also in the notes of the Assistant Secretary. There are some special features which to my mind appear to be significant and require some consideration. The essential facts are simple though the records are bulky. There are two stages of conspiracy found by the Lower Courts.

The first stage is that on the morning of the 15th January 1924 a pariah by name B.Eara threw a shoe into the cart driven by the approver Gafoor Khan in which the accused, 1, 2 and 3 and Srikantiah were travelling to Nanjangud to lodge a complaint of theft against the said Eara, that the accused 1 to 3 who were all lingayets were enraged at the insult, the 2nd accused told the 1st accused that even if it cost them Rs.500 each Amir Sab must be properly dealt with. The Chief Court have found that this conspiracy

NOTE=Contn. Sheet

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did not amount to murder of Amir Sab but extended only to grievous hurt and as such the 2nd accused was convicted for grievous hurt under Section 325 read with Section 114 I.P.C. and was sentenced to undergo 7 years' rigorous imprisonment. This conviction was in spite of the fact that the 2nd accused was found to have lead Amir Sab to the place where he was ultimately murdered in his presence. The 1st accused though a party to this conspiracy was not present at the time of murder neither did he accompany the assassins.

49 The second stage of the conspiracy was at about 6 or 7 P.M. on the 15th January near Nanjangud. The allegation is that when the 2nd accused was accompanying Amir Sab holding his bicycle in his hand, the 1st accused and Hottedyava met - - - - Gafoor Khan and accused Nos. 4 to 7 coming from Nagarhalli. The first accused is reported to have told the accused 3 to 7 and Gafoor Khan to murder Amir Sab and throw his head into a well. This intimation was given without the knowledge of the 2nd accused. As to the first conspiracy there is preponderance of evidence on record to prove the same and ~~that there is the~~ also the fact that in pursuance of that conspiracy accused 4 to 7 were sent for by the 1st accused and that Hottedyava went and fetched these accused Nos 4 to 7 armed with deadly weapons at the instance of the 1st accused. The conviction of the 2nd accused therefore seems to be correct for grievous ~~hxxrt~~ hurt.

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36) As regards the conviction for abetment to muder by the 1st accused there are reasonable grounds to doubt the evidence regarding the conspiracy to murder Amir Sab. The sole evidence for this conspiracy consists of the testimony of Gafoor Khan the approver P.W.1 and Hottedyava P.W.2. Gafoor Khan is not only an approver but is a false witness. This is clear from the observations made by the Sessions Judge and by the Judges of the Chief Court. The Sessions Judge observes as follows:--

"From the evidence of Gafoor Khan himself, it is clear, that he was an accomplice; he says that when the 1st accused asked them why they did not do away with Amir Sab, he boasted he would go and twist and break the arms of Amir Sab and he also proceeded towards the victim and the 1st accused proposed that Amir Sab should be murdered and not merely scotched. He is also not a candid witness in all that he has stated; he himself admits that when he was first examined by the police he did not give out the whole truth. He says "on saturday the Amildar sent for me and examined me and I told him only so far as what transpired up to my going to Nanjangud and denied all knowledge of the rest. On the same day or on the next day I told him also a lie. As Hottedyava and accused 3, 4 and 6 gave out the truth, I also gave out truly everything in detail."

"His story about the Mochu (Article 6) being kept in the house of the 1st accused in the morning seems also a concoction. He says " the 7th accused

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brought a Mochu and said he would go to the garden to plant thorns. The 1st accused told him not to take that mochu and give it to him to leave it at his house. Article 6 is the Mochu. I gave it to his daughter."

"This incident seems to me to have been - - -- brought in just ~~xxxxx~~ to establish the identification of the Mochu by the approver but the concoction is too transparent to be believed. Hotte Dyava has seen only article 6 with the 1st accused for one year. There was no other mochu in the house. Why then should the 1st accused prevent 7th accused from taking it to his garden for planting the thorns.? I am not convinced that the story is true." (Vide Page 13 lines 1 to 23 of the printed judgment of the Sessions Judge.)

The Judges of the Chief Court in animadverting upon his evidence observed as follows:--

"Leaving aside the approver, whose evidence in recorded form did not come into existence till his examination before the Committing Magistrate and who admittedly did not tell anything material to Police till after the whole story of the crime had become known to them, and whose evidence therefore might easily not be entirely free from doubt and prompting."

37 Thus no evidential value should be attached to the testimony of such an unreliable accomplice.

38 Next the testimony of Hotte Dyava has to be considered.

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39 In the first place it is proved that he is closely related to Chik Eara P.W.13 who is admittedly an enemy of the 1st accused. The Sessions Judge observes as follows:--

40 "He is no doubt ~~from~~ very closely related to Chik Eara P.W.13, the yajaman of the Balagai community, and there was admittedly illwill between Chik Eara and the 1st accused. Chik Eara himself admits that he and Amir Sab were very friendly with each other and that he lodged a complaint against the 1st accused and others for assault though it was compromised subsequently. Hotte Dyava's father is also a servant under Chik Eara" (Para 14 lines 42 to 48).

40 Secondly the Sessions Judge observes that "his evidence about hiding Mochu and Donne near the temple seems to me to be a fib." (Vide Page 15 lines 2 and 3.)

41 Thirdly there seems to be some misunderstanding between him and the 1st accused as evident from the grounds alleged in para 3 of the Memorial and the accompanying enclosures. He cannot be characterised as an independent witness. The Judges of the Chief Court had held that Hotte Dyava is an accomplice in the popular sense of that word. They observe as follows:--

42 "No doubt any man who lends his services or aid to the accomplishment of an act, joins in the furtherance of the act and is in the original and popular sense of the word an accomplice--and in that sense there can, I think, be no doubt that

Hotte Dyava is an accomplice for by obeying the instructions of the 1st accused and by collecting accused 4 to 7 and taking them armed with clubs and Mochu and Godli ~~the~~ to Nanjangud thus enabling the 1st accused to utilise their services in the fulfilment of his intention to murder his enemy Amir Sab, he undoubtedly aided the 1st accused to accomplish the purpose.

43 Hotte Dyava knew perfectly well the ~~xxxxx~~ conversation that took place between 1st and 2nd accused regarding their resolution to inflict grievous hurt on Amir Sab even at a cost of Rs.500 each. The 1st accused sent this man to bring the assassins armed with deadly weapons. A question might well be asked whether Hotte Dyava had not a conscientious hand in the crime or whether his admissions of facts did not show that he had such a hand. When a person supplies men and weapons for the accomplishment of a crime a conviction for abetment will no doubt follow on such evidence Hence he is not only an accessory before the fact but an accessory after the fact which has been found by the Chief Court judges. His evidence cannot therefore be said to be untainted. The Chief Court Judges seem to have realised this position and have gone so far to hold that his testimony even if ~~xxxxx~~ uncorroborated may be safely relied on to support the conviction though it is tainted."

44 They observe as follows:--

"Even if his remote and unintentional aid i the accomplishment of the ~~last~~ 1st accused's scheme

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be considered to make him an accomplice in the legal interpretation of the term I would have no hesitation in holding that there are in his case such circumstances surrounding his connection. With the events leading up to the crime as would amply justify us in holding that his ~~testomy~~ testimony even if uncorroborated may be safely relied on to support the conviction in accordance with the view of the majority of the Special Bench in King Emperor vs. Nilakantam Indian Law Reports XXXV Madras 247 at pp.268-278 and all the five Judges forming the Bench in Muthukumaraswami Pillai and others vs. the King Emperor Indian Law Reports XXXV Madras 397 at pp. 423 and 424 and 424 and pp. 441 452 483 and 513."

45 Reliance is placed on R vs.Neelakanta (1911) 35 Mad. 247. This case has recently been reviewed in Muthukumaraswami Pillai vs. R. (1912) 35 Madras 397 in which it was held that Section 133 of the Evidence Act read with Section 114 Illustration B lays down a rule that a conviction on the uncorroborated evidence of an accomplice is not illegal where the presumption of untrustworthiness is rebutted by special circumstances.

46 In England there is now an increasing tendency to insist that an evidence of an accomplice must be corroborated. (See Archbold's Criminal Pleadings (25 Edn.) P.441.)

47 Hence the safest rule that can be deducible from the decisions both in India and England is that when it is once established that a particular

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person is an accomplice and when his evidence implicating others is to be believed, there comes into application the maxim that it is unsafe to convict upon the evidence of an accomplice unless it is corroborated in material particulars, both as to the circumstances of the offence and the identity of the person whom he implicates. (See Amir Ali on Evidence Act page 878 7th Edn.)

48 Tested in the light of these principles it is necessary to see,

49 Firstly whether there are such special circumstances as to rebut the presumption of untrustworthiness in Hotte Dyava's evidence.

50 Secondly whether there is corroboration in material particulars as to the circumstances of the offence and identity of the persons whom he implicates.

51 As regards the first, far from Hotte Dyava being a disinterested witness, there is the evidence to show that he is closely connected with a person who is a sworn enemy of the 1st accused (Vide para 27 of the Judgment).

52 Secondly that his evidence is contradictory and opposed to the probabilities of the case (See Sessions Court Judgment Page 14 para 27.) His evidence about hiding the Mochu and Donne near the temple has been characterised by the trying Judge to be a fib. He says that he does not remember whether he deposed as in Exhibit D.5. Comparing the deposition given before the committing

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magistrate and that given before the Sessions Court as seen from Exhibit D. 4 to D.7, it will be clear that this witness is capable of improving to suit the circumstances. He seems to be a man of adaptability without caring for truth.

53 Thirdly that his evidence against the accused 4 to 7 has not been believed by the Sessions Judge and the offence of conspiracy to murder Amir Sab ha not been believed by that Judge. The Sessions Judge remarks as follows:--

54 "The evidence against accused 4, 5, 6 and 7 does not seem to my mind ~~more~~ very convincing. There is no evidence to prove any conspiracy on the part of these accused and others for murdering Amir Sab." (Vide page 16 para 32 of the Judgment).

55 Thus it is seen that the second conspiracy in which it is alleged that the 1st accused instigated the accused 3 to 7 and Gafoor Khan was not believed by the Sessions Judge. It is therefore curious, if not inconsistent ~~when~~ that the conviction of 1st accused for abetment of murder is based solely upon the evidence given by this witness.

56 Fourthly his evidence is inherently improbable and palpably false. He deposes as follows:--

57 "The 1st accused and I walked faster and went as far as a small bridge beyond Gooloor. We saw accused 3, 4, 5, 6 and 7 and Gafoor Khan going. The 1st accused asked them [illegible] (Vide page 24[illegible] of ~~the Judgment~~ the deposition). From this it is

Serial No.

clear that the 1st accused had conspired to murder Amir Sab and had asked these accused to commit the deed before this conversation and before he met them. Whereas what follows subsequent to this conversation as deposed to by him and the approver Abdul Gafoor the conspiracy to murder Ameer Sab took place after this meeting. It is also clearly established that the accused 1, 2 and 3 did not know on the morning of Tuesday until the 1st accused met the accused 4 to 7 that Amir Sab had left his village on Tuesday morning and was returning from Nanjangud that evening. Therefore there was no occasion for the 1st accused to instigate the accused 4 to 7 to murder Amir Sab on his way from Nanjangud to his village that night before he accosted them in the company of Hotte Dyava that evening. The nature of the conversation at the time of the conspiracy to murder Amir Sab is deposed to by Gafoor Khan and Hotte Dyava. They give different versons. Gafoor Khan deposes as follows:--

58 "We then proceeded, passed a small bridge over Hulhalli Channel and met the 1st accused and Hotte Dyava. The 1st accused said ಸುಮ್ಮನೆ ನಿನ್ನ ಕೈ, ಕಾಲು ಮುರಿದು ಹಾಕುತ್ತೀನಿ ಅಂದ.

I said I would twist his arms and break them." This is quite different from what Hotte Dyava deposed as noticed above. There is an inherent defect in both these versions. It is to be remembered that the 1st accused had never met the accused 4 to 7 before this incident on that day and never had any conversation with them regarding

Serial No.

the crime as ~~above~~ stated above.

57 Under these circumstances it is highly improbable, nay impossible, to expect the 1st accused to have uttered The words attributed to him by the witness ನಾನು ಹೊಡೆದ ಹೊಡೆತಕ್ಕೆ ಅವನು ಸತ್ತರೆ ಸಾಯಲಿ ಬಿಡಿ ಎಂದು ಹೇಳಿದ ಮಾತುಗಳು ಸುಳ್ಳು ಎಂದು ಹೇಳಬೇಕಾಗಿಲ್ಲ. These utterances could not therefore have emanated from the 1st accused. The concoction is too transparent and the witness could not therefore be believed. Accused 3, 4 and 6 have made ~~xx~~ their confessions which are printed on pages 67 to 76. In These confessions ~~give~~ a different version altogether as to the exact conversation that took place between 6 and 7 P.M. on 15th January 1925. These persons make varying statements. It is believed by both the courts that in pursuance of the conspiracy between the ~~xxx~~ 1st and 2nd accused to commit grievous hurt and to contribute Rs. 500 each the accused 4 to 7 were sent for ~~and~~ that it is under these circumstances highly improbable that the 1st accused alone would instigate the other accused to murder Ameer Sab, and that the accused would readily consent to murder a man without any hope of ~~getting~~ promise of a substantial reward for the same. It is also highly improbable that if all the accused had consented to murder, the leading part must have been taken by the 3rd accused and the fatal blow should have been dealt only by him. The fact that the 3rd accused had taken a leading part in the crime from the - - - beginning and caused the death of Amir Sab is very significant. The Sessions Judge observes that the

NOTE—Contn. sheet.

Serial No.

3rd accused was an enemy of Amir Sab and had a motive to murder him. It is highly probable that when he accompanied the other accused and he was asked to punish Amir Sab, he might naturally have taken advantage to wreak his vengeance and committed the murder without being instigated to do so by the 1st accused. (See page 16 Para 35 of the Judgment).

60 To sum up, the evidence of Gafoor Khan is discredited and not relied upon by both the courts, the testimony of Hotte Dyava is tainted and is contradictory as shown above and that it is unsafe to base a conviction for murder upon such a testimony without being corroborated in material particulars. There are reasonable doubts as to the 1st accused instigating the other accused to commit the murder as shown above and that the 3rd accused who admittedly dealt the fatal blow had a motive to commit the deed without in any way being instigated by the 1st accused. These circumstances may perhaps lead to the conclusion that a conviction of the 1st accused for murder cannot be sustained and the extreme penalty of law is I think, unmerited. Having regard to all these facts, the Government may perhaps reduce the sentence of death passed on 1st accused to a term of imprisonment as in the case of 2nd accused.

61 As to the 3rd accused there are no mitigating circumstances which call for interference.

7/56 5.2.25

Bombay

8/2 26/2

26/2

Serial No.

63 I have carefully gone through the Evidence records & the case of the Sessions Judge & the Chief Court.

64 There appears to be no grounds to doubt the correctness of the findings of both the Sessions Court & the Chief Court that the deceased Amir Sah was waylaid & attacked as the result of the conspiracy entered into against him of the first 3 accused & some others and that the deceased died in consequence of the injuries inflicted on him by the 3rd accused Mahtab.

65 The only point on which there was difference of opinion between the Sessions Judge & the Chief Court was & which distinguished the former held that the conspiracy was ~~[illegible]~~ to kill the ~~deceased~~ deceased & the 2nd accused was aware of it, the Chief Court took the view that the 2nd accused though he had knowledge that the deceased was to be attacked & roughly handled was not aware that it was intended to kill him & acted in accordance with this view. The charges in connection with murder of the 2nd accused & are for grievous hurt & abetment thereof respectively & the sentence of the accused is

66 With regard to the 3rd accused (Mehtar Mehrwan alias Mahtab) who dealt the fatal blow to the deceased & whom both the Sessions Judge & Chief Court have found guilty of murder I agree with the opinion NOTE=Contn. Sheet

Serial No.

Expenses of the 2nd Secy that there are no circumstances justifying interference with the sentence of death passed upon him & that the memorial may be therefore rejected

In the regard to 1st accd (of memorial Gurukar Puthanangattu) the 2nd Secy has in his note ~~submitted~~ Expenses 2 on his opinion that a conviction for murder against him cannot be sustained on the statement of Sofferkhan & Hasthedyava. there is no Evidence to show that he instigated the murder of the deceased & that the testimony of these witnesses is tainted & cannot be accepted on this point. 687 I am sorry I am unable to agree with the 2nd Secy in the view taken by him. It was on behalf of & at the instance of the 1st accd that the other accused waylaid & attacked the deceased Ammedat; and there was no reason why they should have killed him unless they were put up to it by the 1st accd. In addition to the testimony of Sofferkhan & Hasthedyava, we have the statement made by some of the accd before the Sub Divl Offr in which they have stated that the 1st accd told them that he would do away with ~~the~~ Govt Ammi Kutty & gave Ammi Kutty a good beating & by means like this that he should be killed & prevent further trouble from him. I am not prepared

NOTE—Contn. Sheet

Serial No.

I believe that these statements of these people on this point are all false & that the 1st accd had no right in this matter to take the law into his own hands & shoot Amirkhan as Mamikhan had not only in the heat of the moment but exceeded his authority & killed him. If the 1st accd had only wounded Amirkhan (and as the evidence my opinion is that he did so wounded him) & if he had then proceeded to finish him off in cold blood I must state the fact of the actual murder along with them. In this case I think that he has been rightly convicted of murder & sentenced to death. I would therefore reject the memorial for mercy.

69) In the end I am of opinion that the memorial (& further petitions or also & petitioners) should be rejected.

Dewas
28/1/25

70)

71) The accused in this case has preferred appeal against his conviction & sentence of death passed on him by the Sessions Judge of Dewas. There is no defence witness & the case is a very simple one. I would reject the appeal & confirm the sentence.

28/2

DEFENCE OFFICE.
Rec'd 12 MAR. 1925
Reg. No 6889

Serial No.

for his mercy. On appeal his conviction & sentence of death and it has to be held whether his accused is guilty or not. But in an application for mercy, we have to presume that the accused is guilty. There is also an established principle that the royal prerogative and if they are found to exist, a recommendation may be made for royal clemency. In each case, his circumstances in favour of the accused are that he was not present on the scene of murder and that his participation in the conspiracy to attack & murder [illegible] depends upon his doubtful testimony & [illegible] upon them & that he is an accomplice of his [illegible] and is also one who is an accomplice under these circumstances, it is not desirable that his sentence of death - the sentence passed on the 4th accused may be commuted to one of transportation for life.

To Beyond his 3rd accused, I agree that his appeal should be rejected

5/3

To Council case.

Dy Secretary

Chief Secy
- with Compts

Contn. Sheet

8/3
26/3
26/3

Council Section.
Circulate.
27-3-25

General and Revenue Secretariat. — 5 File No. 191 of 1924 — 31 (31)

Serial No.

76 [illegible]

77 [illegible] 28/3/25

78 It is utterly impossible to give any opinion on the basis of these elaborate notes, which seem to indicate the drawbacks of the present system. When the Sentence is to be executed, I do not know.

79 The question of mercy seems to be one for the Home Secretary (Hon'ble Member in charge of Jail) to decide & submit to His Highness through the Dewan; but as this is one of the Criminal Subjects, the opinion of all Members did appear the necessary, & hence, [illegible] which like a true has to be seen by all the Members. I wish to see the words, "not [illegible] deep" to note that on the materials furnished, I have no [illegible] to offer to the opinion of Dewan & the Members

NOTE—Contn. Sheet

28/3/25

G.R.S. III-21

File No. 191 of 1924

Serial No.

81/2 to L Secy, with Compliments: The points in the minute of the 2nd member may perhaps be explained, so that a final opinion may be expressed by him for disposal further action in the case.

1.4.25

4 In cases of application for mercy, the Sentence of death is not executed until final disposal of the application.

As this case falls under cl VI of Schedule (App B of Criminal Rules p. 9), it has to be placed before the Council & Submitted with the opinion of the Dewan & members for the orders of H.H. the Maharaja.

Chief Secy with Comp. 5 / 2nd member 1.4.25

8 & 1-4-25

5 The record may kindly be sent for refe.

3/4/25

6 Records submitted.

8.5- I agree with the Dewan & 1st member that a recommendation for mercy (i.e. to convert death sentence to transportation for life) might be made on behalf of 1st accused.

3/4

7916 3/4/25

7 Subd to 1st Member for final note.

52/3.4.25

3-4-25

8 Final note by the Remembrancer is placed on the file.

S. N. Subd. Dewan

14-4-25

DEWAN'S OFFICE
RECD. ON 4 APR. 1925
Reg. No 7442

NOTE—Contn. Sheet

4 N 536

Final Note by the First Member of Council.

—•—

Subject:–

Memorials of Puttananjappa and Puttappa, prisoners condemned to death, praying for mercy.

—•—

89 The memorialists Puttananjappa and Puttappa along with 6 others were tried by the Sessions Judge of Mysore in connection with the murder of one Ameer Sab of Nerlige village, Nanjangud Taluk, and were convicted and sentenced to death under section 302 I.P.C., the former for abetment of murder and the latter for actual participation in murder. The conviction as well as the sentence having been upheld by the Chief Court on appeal, the memorialists have appealed to His Highness praying for mercy.

Pages 15 to 26 of Spare Notes

90 The Local & Legislative Secretary has, in his note dated 26th February 1925 which deals fully with the facts of the case, expressed it as his opinion that while no interference was called for with regard to the sentence passed on Puttappa, the death sentence might be commuted to a term of imprisonment in the case of the other memorialist Puttananjappa as there were reasonable doubts about his having instigated the other accused to commit the murder.

91 On the papers coming up before me, while expressing my agreement with the Local & Legislative Secretary in his opinion about Puttappa, I noted that, for reasons recorded by me, I was of opinion that the memorialist Puttananjappa had been also rightly convicted and sentenced to death by the Sessions Court as well as the Chief Court and that both the memorials might therefore be rejected. The officiating Dewan to whom the papers were submitted, however, minuted as follows

Pages 27–29 ibid

Page 30 of Note

92 "In this case the circumstances in favour of the accused (Puttananjappa) are that he was not present on the scene of

34 34

murder and that his participation in the conspiracy to attack and murder Ameer Sab depends upon the doubtful testimony of Gafoor Khan and Hottedeva -the first of whom is an accomplice and the second is akin to one who is an accomplice. Under these circumstances it is not safe to execute the sentence of death. The sentence passed on the first accused (memorialist Puttananjappa) may be commuted to one of transportation for life

"As regards the 3rd accused (memorialist Puttappa) I agree that the appeal should be rejected."

Page 31, para IV of notes

¶ 3 The papers having again come up before me, I minuted that I had no objection to the sentence of death passed on the first accused (Puttananjappa) being commuted to one of transportation for life as suggested by the Dewan, without questioning the correctness of the findings and decision of the Chief Court (as opined by the L. & L. Secretary). The Second Member has agreed with me and the Dewan.

Page 32, para 5

¶ 4 (1) I therefore solicit the gracious sanction of His Highness to the commutation of the sentence of death passed on the memorialist Puttananjappa into one of transportation for life and (2) the rejection of the memorial of Puttappa.

OFFG. FIRST MEMBER OF COUNCIL.

4/4/25

4-4-1925.

35

95 Submitted to His Highness

26 I submit herewith a Final Note by the First Member of Council on the subject of Memorials of Puttanaanjappa and Puttappa, prisoners condemned to death, praying for mercy.

for His Highness' gracious approval.

Dewan.

1-4-25

386

STATEMENT OF CASES SUBMITTED FOR THE ORDERS OF HIS HIGHNESS THE MAHARAJA DURING THE TOUR OUTSIDE THE STATE IN April 1925

Serial No.	Subject	Recommendation of Council, or Member of Government in charge, as the case may be	Dewan's recommendation	Orders of His Highness	Orders regarding submission of files (*vide* foot-note)
556	Memorials of Puttananjappa and Puttappa, prisoners condemned to death, praying for mercy.	...		His Highness wishes to peruse the file before passing orders. The file may kindly be submitted to His Highness on his return to Mysore. 13/4/25 Nanjundappa	

NOTE.—The letter a, b or c may kindly be inserted by the Private Secretary to His Highness in the last column to indicate whether—
File may be submitted at once ... a
File may be submitted after His Highness' return ... b
File may not be submitted at all ... c

WD 1212—GPB —500—7-1-19

Subd

It is respectfully
submitted that this Memorial
Case was treated as
Immediate & an Immediate
Board placed with it when
Submitted.

ASR
13/7 I remember hearing
it as immediate &
submitted the file the very
next day after receiving
the papers in June last.

(Illegible) 13/7

3737

General and Revenue Secretariat. File No. 791 342/V of 1924-25

Serial No

102 It is ascertained that HH has returned to Mysore
Reports as ordered
8/6 103 The file may perhaps be
11/6/25 Submitted to His Highness as
Apl 8/6 ordered - (Sd) S.K.
(Sd) S.K.

DEWAN'S OFFICE
RECD. ON 8 JUN. 1925
Reg. No. 9188

Sd/ LHReed 3/6
104 Dewan
Sd/ Like [illegible] 6/6
upon with the 3.6
Great care the file
should this recommendation
be upheld

Sd/ J.

Read 5.15 pm 11/7

Sd/ 105 Submitted
11/7 Reed
13/7/25
Apl 13/7
106 LHReed 13/7
1st July

335/147

107 I don't think a final
order by me is upon record
108 This may be submitted to Dewan
with a D.O.N.

Sd/ 14/7
14/7

Sd/ 14/7

NOTE—Contn. Sheet

Serial No.

129)

Send with a D.S.-N. [illegible] 6 para

102:

Secy
14.7.25

110) Sent as ordered by member

dh Secy)
Dewan)

14.7)

14.7

DEWAN'S OFFICE,
RECD. ON 14 JUL. 1925
Reg. No. 413

C384 39

General and Revenue Secretariat

SUBJECT

Memorials of Puttaranjappa and Puttappa, prisoners, Condemned to death for mercy.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circlated to the Members of Council at headquaters and then sent to the Secretariat coneerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before /after* issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

By Order,

K Ramaswamy

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

FIRST MEMBER OF COUNCIL.

SECOND MEMBER OF COUNCIL.

EXTRA MEMBER OF COUNCIL.

NOTE- Contn. sheet.

(39
40

Submitted to His Highness

...

111) In accordance with the orders of His Highness communicated in para 97 on page 36 of this file, I submit for His Highness' gracious perusal and orders the entire records relating to the memorials of Puttananjappa and Puttappa, prisoners condemned to death praying for mercy. I extremely regret the delay in submission which is due to the careless manner in which the file was handled in the Secretariat by those responsible. Due notice is being taken of the delay.

Bangalore,
15th July 1925.

15 JUL 1925

S.N.

3427/P.

(4041

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Memorials of Puttananjappa and Puttappa, prisoners condemned to death for mercy.

Order.

12) ~~KRLR~~

16/7/25

113) Legal.

116) Typewritten file in 3 copies of 15 files each. Two copies forwarded

17.7

17.7

17.7

17.7

115) Memorials

116) Drafts of the two orders as amended

17.7

d Revenue
ariat.

C/S File No. 191 of 1924-25

Serial No. 117)

Sent write 3 drafts and two fair copies

18/7/25 Apl 1917

DEWAN'S OFFICE.
RECD. ON 20. JUN. 1925
Reg. No. 610

118) Drafts to sign the above

119) Sent

120) Sent Chief Secretary Calcutta

121) Sent

7 To the Registrar, Chief Court
Letter no P.335 dy 23.7.25.
Two copies of orders passed by H.H. the Maharaja on the memorials of the prisoners Commuting the death sentence in the Case of Ramkar Puttappanjappa to one of transportation for life and rejecting the Memorial of Puttappa.

23/7/25

P.T.O

3310 of 25
P 3427 of 25

(42 of 43)

General and Revenue Secretariat.

C.S. File No. 191 of 1924-25

Serial No.

In the Municipal file

127) The Special Diaries received from the G.G. office have to be returned. Put up with a draft returning the same. The main file is under issue. Hence this has been worked up separately.

23/7/25

No G.G. office letter no 342 dated 23-7-25 returning the diaries received with his letter of 24-4-25 (Noted above)

128) Put up with reference to paragraphs 114 and 120 above.

129) It is respectfully submitted that the file has not been mislaid in the Branch as will be seen from the dates of submission on pages 37 and 38 above.

23/7/25 130) It is respectfully returned about the 18th of June.

The file was taken to Mysore & from there was submitted on 3-6-25 while on tour.

Please see paras 102 to 103 above. So the file was not mislaid here. Subject under reference to paras 114 to 120 above.

(Illegible)
Dewan

28/7

23-7

CHIEF SECRETARY'S OFFICE,
RECEIVED ON 24 JUL. 1925
No. 1163

NOTE—Contn. Sheet

G.R.S. III-2]

WD 2119—GPB—10.600—2

File No. 191 of 1924-25

General and Revenue Secretariat.

Serial No.

(27) The Trustees
Wakefield Club
Ltd
Have
Asked
Rs 1000/-
Rs 4 lakhs by the
Lucky Wedding
Season
Lucknow
4/2/25

Secy.

The papers may be approved be filed.

3/8/25

DE
RECD.
Reg

2860

No 487 Cr. Encl: two memorials with two copies of it

ch 191-24-1

Encl: {Records in Cr.app. No. 90 of 1923-24 (A. file) and entire records in mysore Sess. case No. 14 of 1923-24} separately sent. Bangalore,

Dated 23rd December ~~191~~ 1924
2nd January 1925.

23981

LOCAL AND LEGISLATIVE SECRETARIAT III

From

THE REGISTRAR OF THE

CHIEF COURT OF MYSORE.

To

THE SECRETARY TO GOVERNMENT,
Local and Legislative
~~GENERAL AND REVENUE~~/DEPARTMENTS.

Sir,

I am directed to forward a memorial addressed to His Highness the Maharaja by Gurukar Putta- Nanjappa and Puttappa accused 1 to 3 in Mysore Sessions Case No. 14. of 1923-24 on the file of the Sessions Judge of Mysore Division and appellants 1 to 3 in Criminal Appeal No. 90 of 1923-24 on the file of this Court. Cr. Refd Case No.7 of 1923-24

The entire record of the case is herewith forwarded.

I have the honor to be,

Sir,

Your most obedient servant,

Sheeniwasa Iyengar
23/12/24

Registrar.

GPB—1,000—16-8-12

೪

(ಶ್ರೀಮನ್ ಮಹಾರಾಜ ಶ್ರೀಕೃಷ್ಣರಾಜ ಒಡೆಯರ

ಬಹದ್ದೂರ್ ಜಿ.ಸಿ.ಯಸ್.ಐ - ಕೆ.ಸಿ.ಐ.ಯ ಯವರ

ಪಾದಪದ್ಮಗಳಲ್ಲಿ ನಂಬಿನಗೂಡು ಕಾಮ್ಲೇಲು ಕಲ್ಲರುಳ್ಳಗ್ರಾಮದ

ಅಂಗಾಯತ ನಂಬಿಷ್ಟನ ಮಗ ಪುಟ್ಟಪ್ಪನೆಂಬ ನಾನು ಬರೆದುಕೊಂಡ

ಪ್ರಾಣದಾನಪತ್ರಿಕೆ

ಮೈಸೂರು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಸೆಷನ್ಸ್ ಕೇಸ್ ನಂ. 14 of 1923-1924

ತ್ರಿಮನೆ ಅಡಿಷನಲ್ ಕೇಸ್ ನಂ. 90 / 1923-1924 ನೇದಾ

ಆ ತೀರ್ಪಿನ ಪ್ರ ನಂ 7 ಆ ಪ್ರ ನಾಲ್ಕನೆಯ

ಈಗ್ಗೆ ಕೆಲವು ದಿವಸಗಳಿಂದೆ ನಂಬಿನಗೂಡು ಕಾಮ್ಲೇಲು ನಮಗೆಲ್ಲಾ

ಒದಲು ತಿಂದರೆ ನಂಬಿನಗೂಡಿಗೆ ಯಜಮಾನ್ಯೆಲ್ಲೂರದಲ್ಲಿ ನಮಗೆಲ್ಲಾ

ಕೂಲಿ ನಗಲ್ಲಾನರಜಾತಿ ಆಮೀರು ಹೊಲಿ ಎಂಬುವನ ಕೂಲಿ.

ಕೋನಿನಲ್ಲಿ ನಿಕಾಪರಾದಿಯಾದಾಗ್ಯೂ ನಮ್ಮನು ಕಾಪ್ಟಷ್ಟದಿಂದ

ಪೋಲೀಸಿನವರು ನಮಗೆ ವಿರೋಧವಿಲ್ಲದ ಸಾಕ್ಷಿಗಳ ರುಜುಪಾತಿನ

ಕಾರಣಾಂತರದಿಂದ - ಮೈಸೂರು ಸೆಷನ್ಸ್ ಕೋರ್ಟಿನವರು

ಬೆಂಗಳೂರು ಹೈಕೋರ್ಟಿನವರು ಬಯಾಳುಗಳಾದಾಗ್ಯೂ

ನನ್ನ ದುರ್ದೈಯಿಂದ ಮರಣದಂಡನೆ ವಿಧಿನಿರ್ಣಯಿಸಿತು. ಮೂರ್ಖನಾದ

ಮನುಷ್ಯನಾಗಿ ನನ್ನ ಪೃಥ್ವಿಕರಿಂದೆ ಕಾಯಿಗಳು ಉಂದಕ್ಕೆ ಯಜಮಾನ್ಯೆ

ಪಯಸ್ಸಿನ ನಂಬಿಷ್ಟಳೆಂಬ ನನ್ನ ತಂಗಿಯ ಒರುವತ್ತು ವರ್ಷ ವಯಸ್ಸಿನ

ನನ್ನ ಕಾಯಿಯ ಕುಣ್ಣವಯಸ್ಸುಉಂದಕ್ಕೆ. ಹುಡಿಗೆಯರು ವರ್ಷ ವಯಸ್ಸಿನವನ್ನೆ

ಹೆಂಡತಿಯ ಪೋಷಕ ನಾನೊಬ್ಬನೇ ಆಗಿರುತ್ತೇನೆ. ಮತ್ತೆಯಾರು ಇಲ್ಲ. ಹುಡುಗಿಯು.

ಜೀವನೋಪಾಯ ವ್ಯವಸಾಯ. ನಮ್ಮ ಗ್ರಾಮದ ಚಾವಡಿಗೆ ಶಿರಸ್ತೇದಾರರಾಗಿರುವ

ಶ್ರೀಯುತ ಇವ್ವಗಳಿಂದ ಸ್ವಾಯಿ. ಮತ್ತೆ ಯಾವ ರೀತಿಯಿಂದಲೂ ಇಲ್ಲ

ನಿರಪರಾಧಿಯಾದಾಗ್ಯೂ ನನ್ನಲ್ಲಿ ಬ್ರಾಹ್ಮಣ ವರ್ಗದ ಮೇಲೆ ಪ್ರಬಲವಾದ
ಕ್ರೋಧಕ್ಕೆ ಕಾರಣವಾಯಿತು. ಸ್ವಾಮಿ ಹಾದಿಪ್ರಸಾದದಿಂದ ನಿವಾರಣೆ
ಯಾಗಬೇಕೆಂಬ ಬಿನಹ: ಅನಾಥನನಗೆ. ಬೇರೆ ಇಲ್ಲವಾದ ಕಾರಣ
ದೀನದಯಾಳುಗಳಾದ ಮಹಾಪ್ರಭುಗಳ ಪದ. ನನಗೆ.
ಪ್ರಾಣದಾನವನ್ನು ಕೊಟ್ಟು ವೈದ್ಯಶ್ರೀ ರಾದ. ನನ್ನ
ತಂದೆ ತಾಯಿಗಳ ವಿಚ್ಛೇದವನ್ನು ಪರಿಹರಿಸಿ. ನಮ್ಮವಂಶ
ಪ್ರ ಅಭಿವೃದ್ಧಿಗೆ ಕಾರಣಕರ್ತರೆಂಬುದಾಗಿಯೂ
ನನ್ನ ಪ್ರಾಣದಾನಕ್ಕೆ ಮತ್ತು ನನ್ನನ್ನು ಈ ಬಂಧನದಿಂದ
ನಿವಾರಣೆ ಮಾಡಲು ಸಮರ್ಥರಾದ ತಮ್ಮ ಪಾದ ಚರಣ
ಸರೋಜಗಳಲ್ಲಿ ಶರಣುತೆಸಾಗಿ. ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ

22-12-1924 ಮಹಾಪ್ರಭು

Left thumb mark of
condemned prisoner No. 3063
Pitla ppa

Signed before me and
admitted to be correct.

K Srinivasachar

SUPERINTENDENT.
MYSORE JAIL,
MYSORE.

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To

H. H. the Maharaja Sri Krishna Raja Wadeyar
Bahadur, G.C.S.I., K.C.I.E.,
Maharaja of Mysore.

The humble petition of Gurukar Puttananjappa, son of Gurukar Maligappa, residing in Nagarlay Grama, Nanjangud Taluk:

May it please Your Highness,

I. I am accused No. 1, Sessions Case No. 14 of 23 - 24, and stand convicted of abetment of murder and sentenced to suffer death. The conviction and sentence passed by the Sessions Judge have been confirmed by the Chief Court in Criminal Appeal No. 90 of 23-24 and Criminal Referred Case No. 7 of 23-24. I am totally innocent of this offence.

II. I belong to a respectable Lingayet family and my grandfather, Nanjunda Sastry, was a great Sanskrit and Kanada Scholar and poet and the author of several works which procured for him the appreciation of His Highness Sree Krishna Raja Wadeyar III and of Sri Sringeri Mutt and Sri Para Kala Mutt Swamies. He was appointed as a Gurukar in the Palace and he served as such until his death. Then his son, the petitioner's father, was appointed Gurukar and served as such for some time until he left Mysore with family and settled down in Nagarlay village where the family possessed extensive property. My affluent circumstances have naturally created many enemies for me, who have combined and succeeded in getting me convicted for the offence of having abetted the murder of one Amir Saib of the same village.

III. On the 13th January, 1924, B.S. Era, Prosecution witness No. 3, committed theft of crops on my land. I gave information to the Patel and on the 15th of the same month,

of the same month, I went to Kowlandi Police Station to which my village is attached, for getting the Police to take up the case and investigate it; and not finding the Police Sub Inpector, I proceeded to Nanjangud and was busy that day in giving information to the Police and getting them to do the needful without unnecessary delay. Exhibits P. 1 and 2 fully corroborate the fact of the theft in my land, which theft is believed by the Sessions Judge and the same B.S.Era has been subsequently convicted.

IV. My presence on the 15th and 16th in and near Nanjangud with my relations and servants is thus fully accounted for. The evidence given by a large number of witnesses to prove my presence in and near Nanjangud on the 15th and 16th cannot, therefore, be taken to prove that I instigated the ~~other accused persons in this case to~~ murder Amir Saib.

V. Amir Saib had, as admitted by the witnesses for the prosecution and distinctly found by the Sessions Judge, a large number of enemies (para 21 of the Judgment copy). Even among Muhammadans in Nagarlay, there are two factions between whom great enmity exists. Misunderstandings between myself and Amir Saib had occurred more than 7 or 8 years ago and for the last 7 or 8 years there had been no ill-will between me and Amir Saib.

VI. Amir Saib is said to have been murdered on the 15th January, 1924. Both the Courts have found that I was not present at the murder, but that I abetted the murder and that I was in Nanjangud at the time of the occurrence. My presence in Nanjangud on the 15th was in connection with my case of theft against B.S.Era, P.W. 3, as submitted above (para 3). I never instigated the other accused persons to murder Amir Saib

VII. The evidence of P.W. 1, Abdul Gafoor Khan, is false. The Sessions Judge himself holds in para 21 of the judgment that Gafoor Khan is an enemy of Amir Saib, is an accomplice in

is an accomplice in causing the death of Amir Saib, is not a candid witness, did not state the whole truth to the Police, has admitted that he told a lie to the Amildar and has appeared to concoct evidence. The Judge further holds in the same para that Abdul Gafoor's concoction is too transparent to be behind and that he is not convinced that the story of Abdul Gafoor - with regard to "a machu" is true.

VIII. P.W. 2, Hotte Deva, is likewise a false witness. In para 27 of the Sessions Judge's judgment, the Judge says that Hottedeva, P.W.2 is, no doubt, closely related to B.S.Era P.W.3, an ~~ye~~jman of his community and there is admittedly ill-will between B.S.Era and myself. B.S.Era admits that he and Amir Saib were friendly and that he lodged a complaint against the 1st accused and had cited Hotte Deva as his witness. Hotte Deva therefore, has a strong motive to depose falsely against me. The fact that Hotte Deva's father has borrowed Rs 50 from me in the year 1920 does not show that he is favourably disposed towards me in spite of the above facts which go to show that he has a strong motive to depose falsely against me. -- Further, in the same para, the Judge says that the evidence of Hotte Deva about hiding a machu (మచ్చు) and a donne (దొన్నె) near the temple seems to be a fib and in para 29, the Sessions -- Judge notices the omission of this witness to give information to the authorities of the intention and preparation to murder Amir Saib.

IX. Thus the only 2 witnesses who implicate me, are persons who are unworthy of belief and have very strong motive to espouse the cause of Amir Saib's people and incriminate me. I most respectfully submit that the Court in passing the sentence of death against me, has erroneously relied upon the evidence of these two false witnesses.

X. It was my misfortune that after the Government Advocate addressed his arguments in the Chief Court, my lawyer was not present in Court to reply and to bring the above facts pro-

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the above facts prominently to the notice of the Chief Court. Whatever view the Court might take in respect of the death of Amir Saib and the persons who caused his death, the facts stated above clearly show that I did not instigate his murder. Anyway, these facts, if properly represented and considered, would have clearly shown a ~~doubt~~ that I was not implicated in the criminal offence or even in the abetment thereof.

XI. I most humbly pray that Your Highness may be graciously pleased to exercise the prerogative of mercy taking into consideration the nature of the evidence against me, my family connections, the fact that I am wholly innocent of the offence and that I am the only son of my father, and direct my immediate release from the custody in which I am.

For which act of justice and mercy, I will ever humbly pray,

Your Highness' most loyal subject
and faithful servant,
begs to remain,
May it please Your Highnesss,
Your Highness' most obedient servant,

Mysore,
20-12-24
22-12-24

ನಾನು ಮೇಲ್ಕಂಡಂತೆ ಬರೆದಿರುವ Condemned prisoner
ನಂ. 3061 ಶ್ರೀ. Puttanaryappa

Signed before me of the Mysore Jail
and admitted to be Correct.

K Srinivasachar
SUPERINTENDENT.
MYSORE JAIL.
MYSORE.

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

Wednesday the 3rd day of December 1924.

PRESENT:

THE HON'BLE MR. J. E. HOLMES, Offg. CHIEF JUDGE.

and

THE HON'BLE MR. S. SUBBIAH

Petition of Criminal Appeal No.80/23-24/Criminal Referred - Case No.7/23-24 against the conviction and sentence by the Sessions Judge of Mysore Division, under Section 302 read with Section 109 of the Indian Penal Code in the case of the 1st accused and under Section 302 in the case of the 2nd and 3rd accused in Mysore Sessions Case No.16 of 23-24.

Appellants:-

1. Gurukar Puttanarsiah
2. Honeyar Puttanarsiah
3. Pallappa

(Accused 1 to 3).

J U D G M E N T.

This is an appeal from the conviction and sentence by the Sessions Judge, Mysore, in Mysore Sessions Case No.16 of 1923-24.

In that case eight persons were charged by the police in connection with the murder of one Ameer Sab of Nagarle. Of those, the 1st accused was charged under Sections 302 and 109 with abetment and the remainder under Section 302 with the commission of the offence

At the preliminary enquiry the 6th accused Safoor Khan ~~was~~ was tendered a pardon and taken as an approver and is prosecution 1st witness in the case. The other seven

were committed to Sessions. Of those the learned Sessions Judge acquitted accused 4,5,6 and 7 and convicted the 2nd and 3rd accused of the murder, and the 1st accused of abetment of the murder, and he sentenced all three to death. They have all appealed.

For the 1st appellant - 1st accused, Dr.Swaminadhan, for the 2nd accused - 2nd appellant Mr.L.A.Govindaraghava - Iyer, and for the 3rd appellant - 3rd accused, Mr.C.Krishna Murthi, argued the appeal for their respective clients. The learned Government Advocate appeared in support of the conviction. The facts of the case are fully set out in the judgment of the lower court and the evidence has received a critical consideration.

Briefly the case for the prosecution is, that there was long standing ill-will between the 1st accused Gurubar Puttananjappa and the deceased Ameer Sab. The 1st accused is an influential and well to do land holder residing in the same Nagarle Village as Ameer Sab and a leader of the Lingayat community in the locality. Ameer Sab was also influential and well todo and a leader of one of two factions existing among the Mahomedan community of Nagarle. The 2nd accused Mencgar Puttananjappa is the brother of the Patel of Nagarle and a relation of the 1st accused. He was the Petrol Mencgar in the Manjanpad Municipality

The 3rd accused Puttappa is of the same community as the 1st and 2nd accused and their close friend

On the morning of the 15th January last a pariah by name Loodisiddamma Bira (Prosecution witness No.3) threw a shoe into the cart driven by the approver Jaffoor Khan (Prosecution witness No.1) in which the accused 1,2 and 3. and —

another

so detaining him and giving accused 2-7 and the approver time, some to overtake him, and some to take a short cut and intercept him, at a point in the road about 2½ miles from Lanjangud.

The 1st accused and Hatte Gowda (Prosecution witness No.2) had gone part of the way along the road with the approver and accused 2-7 and the 1st accused then, apparently for the first time, made it clear that his scheme was that Ameer Sab must be killed, not merely, as the approver and accused 2-7 seem to have thought, that he must be severely beaten and injured. The 1st accused would not consent to any such idea pointing out that if Ameer Sab was left alive he could subsequently make a case against them and get them all punished. Eventually the 1st accused prevailed, and he and Hatte Gowda (Prosecution witness No.2) then left the approver and accused 3-7, and returned to Lanjangud. The approver and the 7th accused followed after the 2nd accused and Ameer Sab along the road, while accused 3,4,5 and 6 took a short cut across the fields and intercepted them at a bend in the road. Where the 3rd accused struck Ameer Sab about the face and head with the Kaachu which he had taken from the hands of the 6th accused, the 6th accused pulled his legs and brought him to the ground, the 3rd accused then cut him again with the Kaachu on the neck, and the said 4th and 5th accused dragged the body off the road and left it in a lane behind a hedge.

The 2nd accused, according to the approver, let go of the bicycle and ran off towards Lanjangud as soon as the 3rd accused, began to strike Ameer Sab with the Kaachu. The approver and the 7th accused also ran back to Lanjangud as soon as Ameer Sab fell and they were accompanied or followed by the 6th accused. After the life of Ameer Sab was extinct the 3rd and 4th and 5th accused ran back to Lanjangud where accused 3-7 and the approver were joined by the 1st

another by name Srikantayya (not traced since the murder, were going to Nanjangud on their way to the police Station at Lokkande, within the limits of which the village of -- Nagarle lies, in order to lodge a complaint of theft against the said Koddisiddamma Lara. This shoe incident occurred in front of Ameer Sab's house. Koddisiddamma Lara was known to be staying in that house and to be receiving the support of Ameer Sab. Accused 1,2 and 3 jumped therefore to the -- conclusion that Ameer Sab had instigated Lara to throw the shoe. They were very enraged at the insult and the 2nd accused told the 1st accused whom he styles as uncle, that even if it cost them Rs.500/- each Ameer Sab must be "properly dealt with

The 1st accused accordingly instructed a Jodigar in his temporary service each year during the harvest season, by name Lotte Gyava (Prosecution witness No.2) who was following behind the cart, to go back to the village and to collect -- the 6th accused Thanna Setty, a Ganiyar tenant of the 1st -- accused, together with the 5th accused, a Lingayat tenant and relation of the 1st accused, resident of Nagarle, and accused 6 and 7, two Pariah servants working under the 1st accused at Nagarle, and to bring them armed with clubs and Nacchu and Lodli A to Nanjangud.

Lotte Gyava Prosecution witness No.2 accordingly -- brought accused 6-7 to Nanjangud. That evening, about 7 p.m. when Ameer Sab returned from Mysore to Nanjangud by train and would have gone off home to Nagarle on his bicycle, the 2nd accused Lakshmanaja whom Ameer Sab believed to be -- friendly to him, got into conversation with him and went on the way walking with him and leading his bicycle for him,

accused and Lottedyava who were informed that the deed had been done. A fire was lit and a blood stained towel on the 3rd accused and some papers of sheer cab which had been -- picked up at the scene of the murder by the 4th accused, were burnt. Then accused 3,4,6 and 7 returned to Nagarle by the Chamarajanagar road. Enroute the 4th accused, to whom the 3rd accused had handed the kaccha after the murder, threw it into the channel near Gooloor. The approver was seen to -- Lenguvva's hotel, Lottedyava (Prosecution witness No.2) took the cart and accused 1 and 5 to the house of one Nelayya and left them there and went himself and took food at and slept in Nenguvva's hotel. The next day he drove the 1st and 5th accused in the cart to Kollegala and that night he and accused 1 and 5 returned to Nagarle. To prove these facts the prosecution mainly relied on the evidence of the approver (prosecution witness No.1 and of Lottedyava (prosecution witness No.2 and on the confessions of accused 3,6 and 8 (exhibits P.9, 10 and 12, made before the Sanjangud Special Magistrate -- exhibits P.10 and P.11 on January 22nd and exhibit P.12 on 23rd January. The learned Sessions Judge, while he believed the evidence of the approver and prosecution witness No.2 in almost every particular, has thought it safer to place no reliance on the confessions of accused 3,6 and 8 because they were retracted before the Committing Magistrate. He said that he is thus left with only the evidence of the approver as regards the actual part in the murder taken by accused 3, 6 and 7 and giving them the benefit of the doubt he has acquitted them

The several counsel for the appellant - accused 3, 6 and 7 - argued at considerable length that the approver's story was improbable, that Lottedyava (prosecution witness No.2) was accomplice and that therefore his evidence can afford

corrd

corroboration to the evidence of an approver that the evidence of the other prosecution witnesses examined to corroborate various portions of the approver's evidence affords no corroboration in material particulars as against each of their respective clients and they urge that there is therefore no sufficient evidence to support their conviction.

In support of the conviction the learned Government Advocate contends that the view of the lower court that Dyava was not an accomplice and that this evidence afforded complete corroboration of the evidence of the approver, is incorrect. What evidence was, he contends, given very correctly - and is in no way inherently improbable. He further urges that it is also corroborated in very many material details against each of the 3 appellants and that, on the whole, the evidence amply supports the conviction.

I shall first consider whether Lotto Dyava (prosecution witness No.2) is or is not an accomplice in the legal interpretation of the term. No doubt any man who lends services or aid to the accomplishment of an act, joins in furtherance of the act, and is in the original and popular sense of the word an accomplice — and in that sense this man Dyava I think is no doubt that knowledge in an accomplice by obeying the instructions of the 1st accused and [illegible] ng accused 4-7 and taking them armed with clubs [illegible] and Lodi to Nanjangud thus enabling the 1st accused their services in the fulfilment of his intention [illegible] his enemy, Amar Nath, he undoubtedly aided the 1st [illegible] to accomplish his purpose. But that alone should [illegible] to hold that he was "particeps criminis" and so [illegible] who by his conduct had rendered himself liable to [illegible] for the crime along with the approver and accused

himself says that he thought that the 1st accused wanted accused 6-7 to be fetched armed with clubs and Kaccha and kodli as a protection against the pariahs as a result of the shoe incident. It may be that from the fact that he overheard the 2nd accused tell the 1st accused that even if each of them had to spend Rs.500/- both Ara and Ameer Sab should be properly dealt with, he may have had a shrewd idea that if Ameer Sab was met by the 1st accused and his followers alone and unprotected at a suitable time and place he would be given a severe beating and possibly be seriously injured, but when Bettedyava returned to Bagarla and collected accused 6-7 he had no idea that Ameer Sab would be returning alone that night to Bagarla, or that any suitable opportunity would present itself for his being attacked, and I do not think the mere fact that he subsequently dared not cry out and warn Ameer Sab or that he remained in company with the 1st accused after hearing the 1st accused insist that accused 6-7 should not only beat Ameer Sab but also kill him, or the fact that he subsequently kept quiet without informing the police — though he had become aware that Ameer Sab had been murdered, could have sufficed to have supported his conviction for — abetment of the crime. True, he became by this last fact — an accessory after the crime, but it is well established law that that does not amount to abetment within the meaning of sections 107 Indian Penal Code and in view of the fact that he was not at the time positively aware that a crime was being planned I am unable to say that any of the other acts amounts to engaging in a conspiracy for the performance of the crime or to intentionally aiding the crime. He cannot therefore, in my opinion, be said to be an accomplice in the sense that he sustained such a relation to the criminal act as would — render him liable to be jointly indicted with the accused for the crime. Nor do I think that he can be said to have been

shown

shewn by the evidence, or by his own admissions, to have had a conscious hand in the crime. His testimony is not therefore in my opinion the testimony of an accomplice in the -- accepted interpretation in law and must therefore be judged and applied on principles applicable to an ordinary witness.

Even if his remote and unintentional aid in the accomplishment of the act accused's scheme be considered as making him an accomplice in the legal interpretation of the term I would have no hesitation in holding that there are in this case such circumstances surrounding his connection, with the events leading up to the crime as would amply justify us in holding that his testimony even if uncorroborated may be -- safely relied on to support the conviction in accordance with the view of the majority of the Special Bench in King Emperor Vs. Nilkantan Indian Law Reports XXIV Madras 247 at p.p. 268-274 and all the five Judges forming the bench in Sivaprakasam Pillai and others Vs. the King Emperor Indian Law Reports XXIV Madras 397 at p.p.423 and 424 and p.p.441: 452: 4[illegible] and 513.

Whether the circumstances are viewed, as Abdur Rahim J. prefers, as special circumstances sufficient to rebut the presumption which according to Section 114 Illustration b, Indian Evidence Act may be raised against the uncorroborated evidence of an accomplice, or as circumstances avoiding the presumption and entailing the application of section 133 Indian Evidence Act as held by the other four Judges does not seem to be -- material.

The important point to see is whether all the circumstances surrounding the evidence of Ketheeswaran P.W., the story itself the manner of its telling, the occasion of its first narration, the channel by which, and the time at which, the fact of his knowledge became known to the police, etc., are such as

to entitle it to credit.

In the words of the Special Bench at page 209 (p.6)c. which cannot be bettered assuming but not conceding that -- Nottadyavalu is tainted evidence "bearing that fact in mind, scrutinising that evidence with the utmost care, accepting it with the greatest caution, considering it in the light of the circumstances in which it was given, and in the light of all the other circumstances in the case of which evidence is legally admissible" is the truth of the evidence so clear and convincing that it may be safely believed and acted upon even though entirely uncorroborated?

Applying these considerations to the evidence of Nottadyavalu it is seen that the story itself is full of details of a nature entirely outside the possibility of invention, fiction, given in a most straightforward convincing manner, told in its present form to the Assistant Superintendent of Police on the first day on which he assumed charge of the investigation i.e., on the 3rd and the fourth day after the occurrence, at a time when there was no greater suspicion against the 1st accused than against several other known enemies of the deceased, still no reason to inspire the evidence, but rather with a natural inclination to shield the 1st accused as being one of his fellowmen manifestly trusted by him, and under an obligation to him in the matter of a loan still undischarged. When his name and the fact that he might have any knowledge of the events leading up to the crime had become known to the police from the mention of him made to the Accidar Prosecution witness P.W.27 Woodisaddanna Isra when the former examined him on the 17th, the evidence has therefore every guarantee of spontaneity and truth and in my opinion may safely be acted upon and acted upon, and even though it be viewed as the evidence of

an accomplice: and even though it be found to be uncorroborated in material details.

But it is not thus ~~xxx~~ uncorroborated

Leaving aside the approver, whose evidence in ~~xx~~ recorded here did not come into existence till his examination before the Committing Magistrate, and who admittedly did not tell anything material to the police till after the whole story of the crime had become known to them, and whose evidence therefore might easily not be entirely free from tuition and prompting, there is the corroboration of Lottedyava's evidence regarding the shoe incident afforded by the evidence of Loodisiddamma Lara Prosecution witness No.7. Again his evidence that after he came to Kanjangud bringing with him accused 4,5,6 and 7, accused 1-3 and one Srikantayya came back to Kanjangud from Kowlande in a motor into which by the time it passed Lottedyava the 5th and 6th accused had also got, is corroborated by the evidence of the proprietor of the motor, Prosecution witness No.18, who was driving the bus and his cleaner Prosecution witness No.19. Prosecution witness No.18 deposes that on the 15th January the 1st accused engaged his motor bus for Rs.12-8-0 to go to, and return from Kowlande. At about 2-15 P.M. the first accused got into the bus accompanied by the 2nd and 3rd accused and another. His cleaner Prosecution witness No.19 was also with the bus, the witness drove them to Kowlande police station, and they started back for Kanjangud about 5 P.M. ~~xxxx~~ 2 miles from Kanjangud two men got into the bus who were said to be of the 1st accused's party. Prosecution witness 19.the cleaner, deposes to the same effect and identifies the 6th accused as one of the two men that joined the bus a little distance from Kanjangud.

Lottedyava

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Kottedyave further states that after the bus passed him he and the 7th accused, who had remained with him, -- followed after the bus and found accused 1, 2, 3 and 5 and the man Sritantoyya, at a Chattram behind the temple and that they were then speaking to a police constable and that the Inspector passed and accused 1 and 2 went and spoke to him and that then the approver and the 4th accused joined them with the 1st accused's cart. This part of his evidence is corroborated by the constable Ranganaina who, examined as Prosecution witness No.33 before the Committing Magistrate, and whose evidence in that Court is marked as Exhibit I, is in the Sessions Court as he was no longer in service and his whereabouts could not be traced, vide the District Superintendent of Police Mr. Siddaramaiah's evidence as Prosecution witness No.65.

The evidence of the Inspector Prosecution witness No. 24 shows that when he passed near the Chattram about 6 P.M. on the evening of the 10th the 1st and 2nd accused spoke to him and complained of theft of 1st accused's cart and of the shoe having been thrown in a ditch into their cart as they were going to Nerlanka. Again Kottedyave's evidence is that when he brought accused 4, 5, 6 and 7 and one ..... the son of the 1st accused's sister to Ranganapalle accused 5, 6 and 7 stopped near Alloori Lakshmi's tea shop while A. N. Ranjappa and 4th accused went into Ranjappa's house for the 1st accused. This statement is corroborated by a constable Prosecution witness No.[illegible] and Prosecution witness No.7 who depose that they passed that about 6 P.M. and saw accused 5, 6, 7 and Kottedyave near the temple, and Prosecution witness No.[illegible], who stopped and spoke to them.

Hottedyava also deposes that when Ameer Sab about lamp lighting time was said to be going on the bicycle, the 2nd accused ran after him. He and all the accused and the approver were at that time at the chattram and they all followed after the 2nd accused. After about a furlong they met a man who said, on being asked by the 1st accused that Ameer Sab and 2nd accused were going leading the bike. This statement that Ameer Sab went walking towards Nagarle accompanied by the 2nd accused and leading the bike, is corroborated by Anantanarayan Rao (Prosecution witness No.20 clerk of Mr. Thippiah (Prosecution witness No.21) a lawyer of Nanjangud in whose house he sleeps.

Prosecution witness No.20 deposes that he was returning to Nanjangud and when near the Parasaram temple he saw Ameer Sab and the 2nd accused going towards Nagarle the 2nd accused was then leading the bicycle. He and A Sab "wished" each other. It was about 7 or 7-30 P.M. about 11 P.M. that night some 2 or 3 persons came to Mr Thippiah's house and asked if Ameer Sab was there. He called out that Ameer Sab and "the Manegar" went leading th bicycle. Mr. Thippiah Prosecution witness No.21 corroborates this and states that when he questioned him his clerk then told him that by the Manegar he meant the 2nd accused. He states that the voice of the man who called out to know if Ameer Sab was there was the voice of Ameer Sab's brother Ghouse Sab. The latter is examined as Prosecution witness No. 19 and he corroborates Prosecution witnesses Nos.20 and 21 and deposes that next morning he went again to Mr. Thippiah and asked him who the Manegar was and that he then told him it was the 2nd accused.

We

We are asked by 2nd accused's counsel to discredit the evidence of Mr. Shipton and his clerk Prosecution witness 24 because no mention of them is made in the 1st Information Report, and because no mention of the 2nd accused is to be found therein.

These omissions undoubtedly occur but the 1st Information Report has not been put in evidence, and the writer, the Inspector, Prosecution witness No.28, has not been called a word about it. On the face of it it is only an abstract of some information given to the Builder by several Prosecution witnesses (e.g. 3) and as a matter of fact in the statement of these same persons saying the first information report the fact that Mr. Shipton relied that Mr. Singer had come from the station talking about the burglary, is mentioned. Shuse Sah made no mention of this incident at the inquest but as he explains he was in a great state of mental distress and confusion then and the omission is very natural especially as the 2nd accused was not known to have any personal ill-will against Singer etc. The District Superintendent of Police examined Mr. Shipton and his clerk Prosecution witness No.24 on the 19th and he had no reason whatever to do so if this incident had not occurred, and that the companionship of the 2nd accused with the deceased very shortly before his murder must have been mentioned on the day of the inquest alone is clear from the fact deposed to by the Builder, Prosecution witness No.27 that on the Builder's return to Lanfangad after the inquest he sent for the 2nd accused but he could not be found.

It is of course very regrettable that neither the Sessions Judge nor the Public Prosecutor appear to have examined the Police Diaries or to have examined the witnesses

especially the police officers, with reference to those discrepancies. Had they done so the undoubted lacunae existing in their evidence could have been filled in and most of the material made available for the lengthy arguments of appellant's counsel could not have existed. As regards this point however I am satisfied that there is no real reason to doubt the truth of the evidence of Prosecution witness No.20 that he did pass Ameer Sab and the 2nd accused walking together towards Nagarle and that the 2nd accused was then leading the cycle, which from the evidence of Mr. Shiv... and from the discovery of his by bicycle beside Ameer Sab's corpse was undoubtedly the bicycle of Ameer Sab. The truth of the evidence of Prosecution witness No.20 is further fully corroborated by the evidence of Madiya Prosecution witness No.23.

Madiya is a chaura or talari of Maniyanballi village beyond Nagarle going from Nanjangud.

He deposed that on the Tuesday following the Sankranti day (which fell on January 14th) he left Nanjangud for his village about 7pm lighting time. Going along the road, which is also the road to Nagarle, he saw the 2nd accused and Ameer Sab coming behind him. The 2nd accused was then leading a bicycle. When they reached him Ameer Sab spoke to him and asked who he was and where he had been. They passed him. Then the 2nd accused got under a tree to answer calls of nature, and then Ameer Sab and the 2nd accused told him to go on in advance. He went on, and had only gone some 2 or 3 or 4 furlongs on his way when he heard the sound "Allare" (a cry of a Mahomedan in distress) behind him. He heard no more and went on to his village. The next evening Wednesday he heard people saying that

was was murdered. He remarked that that was delusion (maya) for had he not himself come (home) after seeing and talking with him only the previous day. He stated that the place where Ameer was and the 2nd accused passed him was at some istance past the Kadu Kasappa's temple. The place on the ad where Ameer was murdered is itself only 2 furlongs eyond Kadu Kasappa's temple according to the plan Exhibit .8 prepared by Prosecution witness 22 under the directions f the Inspector Prosecution witness 28, so that, if the vidence of this witness is believed, it shows that not only did the 2nd accused run after the deceased Ameer as stated by Lotted yaya not only did the 2nd accused go walking with Ameer and leading his bicycle as far as the place on the road near the Karasarama temple, as stated by Prosecutio witness 26, but that he also accompanied him walking and leading his bicycle as far as some place on the road less than 2 furlongs from the scene of the murder, which indeed must have taken place within 2 or 3 minutes of Kadiy leaving the 2nd accused and Ameer sat

2nd appellant and 2nd accused's counsel urges that Kadiya's evidence is not worthy of credit that he is a village servant under the influence of the police and t his evidence must be due to concoction and to police tu points out that though Kadiya may have left his vill the day after the murder to go to Hammargala and anothe village he admittedly returned after four days i.e. by 20th, yet he was not examined by the District superint of Police till the 25th though the District Superinten of Police was camping at Haniyamballi the village in w this witness resides. As I do not think there is mu force in these contentions. The witness as a matter

fact left for Seenaryale on Thursday the 17th. He returned four days later i-e. on the 21st. He then heard that the police wanted him.en On the 21st the District superintendent of Police had gone to Mysore. He returned that evening to Lanjanguli. On the 22nd, 23rd and 24th he was busy at Lanjangud examining witnesses and having accused 3, 4 and 6 sent to the Magistrate to have their confessions recorded. No suspicion therefore attaches to the fact that Lodiya was not examined till the 25th. That Lodiya was believed to have some knowledge of the crime is clear from the evidence of the Amildar (Prosecution witness 27) that on the 19th he sent for him but could not find him, while the District superintendent of Police, Prosecution witness No. 43 deposes that he had sent for him 2 or 3 times but could not get him till the 25th.

Moreover apart from the fact that the evidence of th witness is on the face of it straightforward and trustworthy there is this clear indication that it is not concocted or untrue, for if it had been it is certain the police would not have let it stop at the witness merely hearing the cry "Illore" they could have taken it the one step further and made the witness say that he then crept back and unobserved saw the finish of the crime

I accordingly unhesitatingly accept the evidence of his witness Lodiya as true and thus accepted it affords th material corroboration of the approver's evidence that the 2nd accused was still in the company of Puttaer Gat when the other accused attacked and murdered him.

Taking this fact into consideration along with the fact that the 2nd accused had been having all the day in

close con, and with the 1st and 3rd accused and from the circ
of their return from Loolande had been not only in their
company but in the company of accused 4, 5, 8 and 9 when
he knew the 1st accused had caused to be fetched by Hatte-
dyava as stated by the latter as the result of, and closely
following his own suggestions that even if it cost him
and the 1st accused Rs.500/- each Ancar and the two had
invited Loolandamma Lari to throw the shot must be prop-
erly dealt with and coupling with these facts the further
evidence of Hattedyava which shows that when the 3rd
accused returned he rejoined the 1st accused and went off
into a conference in connection with the 1st accused, and it
seems to me that it is impossible to resist the ugly
inference that the 3rd accused was well aware that either
2 - 9 and the former were to overtake or intercept Ancar
Lal in order at any rate to beat and severely injure him,
and that his pre-arranged share in the matter was to take
advantage of the fact that Ancar Lal had no reason to mis-
trust him and so to engage him in conversation and so collo-
quy with him, as to prevent him from riding off on his m-
orale beyond the power of the other accused to catch up
beat him.

That he may not have known till the 3rd accused
actually began attacking Ancar Lal with a weapon that
than a severe beating was intended is a thing reasonable
doubt. The accused's evidence shows that it was not enough
to himself and the other accused 2 - 9 till after the 1st
accused had left them to run after Ancar Lal that the 1st
accused's real intention was the murder of the former, and
the statements of the approver and of the 2nd accused in
his retracted confession (Exhibit J) show that when the 3rd
accused first struck Ancar Lal the 2nd accused retorted

and then ran off back to Kanjangad land distinct support to that view. The 2nd accused is therefore entitled to the benefit of that doubt and in his case I would alter the conviction to one of abetting in person the offence of causing grievous hurt punishable under sections 325 Indian Penal Code and 114 Indian Penal Code and I would reduce his sentence to one of seven years rigorous imprisonment.

As regards the conduct of the 1st and 3rd accused after the murder Kathedyan deposes that after leaving the 2nd accused in Kanjangad the 1st accused returned and rejoined him and accused 3 - 7 and the approver who had all gathered together again near the cart. A small fire was made and it was then seen that the shoes or towel worn by the 3rd accused was blood stained and it was accordingly thrown by the 1st accused into the fire and burnt, and that the 1st accused then also burnt some papers which the 4th accused gave him saying they had dropped from the pocket of Ameer Sab when he fell.

He deposes also that the 1st accused then gave money to accused 3 - 7. Accused 3, 4, 6 and 7 then left the - - place. Then the approver was sent to Kempanna's hotel. He himself took the 1st and 4th accused in the cart to the house of one Lakappa. The 1st and 5th accused went into that house. He himself went to Kempanna's hotel and after taking food he slept in the cart and that the 1st accused slept in Lakappa's house.

This part of his evidence is corroborated by a Servant by name Channabasappa who has been examined as Prosecution witness No.24. He deposes that he has an arrangement with Lakappa that when he visits Kanjangad he shall feed and sleep in Laddanna's house. On the evening of the 15th - - -

Contd...

January he was in Lanjanur and took his night meal there. After it he saw the 1st and 5th accused and one Srikantappa there. In the morning when he left the house the same three persons were sleeping on the hajara of that house.

This corroborates the material evidence as against the 1st accused and I have no hesitation in accepting it as proving up to the hilt that the 1st accused on the suggestion of the 2nd accused planned an attack on Amear Sab, and thereafter took active part in preparations for effecting it, that he was in close concert with his retainers who were the actual assailants of Amear Sab both immediately before and after the attack that it was he who when they were all going after Amear Sab overcame their scruples and persuaded them that it was the death of Amear Sab that must be effected at that time as a result his death was effected, and that after the crime he took active part in destroying traces of the crime and in giving instructions to prevent the detection of the perpetrators of the crime. I accordingly consider the conviction under Ss Section 302 and 109 Indian Penal Code is correct. There are no extenuating circumstances. I would therefore confirm the sentence of death.

As against the 3rd accused in addition to the evidence of Nottaliyan there is the evidence of the District Superintendent of Police (prosecution witness No.49) to the effect that when the 3rd accused was first questioned on the 21st that is after his arrest he made a statement and took the District Superintendent of Police to the house of his father-in-law and had a coat produced. That coat is Article 8 and the evidence of the Chemical Examiner shows that when he examined it he detected human blood on. Prosecution witnesses ...

32 and 30 independent panchayatdars also gave evidence as to the facts production of the coat. The District Superintendent of Police further deposes that the 3rd accused then took him to the bridge over the Mulhalli channel near Colour and stated that a machu was in the channel. Prosecution witness 33 then got into the water and feeling about with his legs found and produced the machu Art.6 wrapped in a cloth Art.7.

Prosecution witness No.26 a school master and prosecution witness No.25 also depose to these facts. The Inspector Prosecution witness No.29 although the police officers and the school master thought there were blood stains on the blade the evidence of the Chemical Examiner shows that when he examined it he found no trace of human blood on it.

The recovery is proved by the evidence of witness No.1 corroborated by one Subraya Prosecution witness No.4 who have been sold by him for one Subbaya's nephew of his out to the 1st accused for Rs.4/- about four months prior to the murder.

Both witness No.4 says that when collecting money to take them to Manjeshwar the machu Art.6 was produced from the 1st accused's house and the approver's evidence is that that machu was with the 7th accused when he left -7 and the approver for Kasaragod.

The 3rd accused in his confession fully admits his guilt and that he was the person who struck the deceased with a machu states that after the murder he handed the machu to the 6th accused who wrapped it in a cloth and later on on their way to their village threw it

into

into the channel near Goloor.

This evidence, coupled with that of Hottedyava and of the witnesses who corroborate him, seems to me to conclusively prove that the 3rd accused conspired with accused # 1 and 2 to have Ameer Sab beaten, and subsequently allowed himself to be persuaded by the1st accused that his death must be caused and that he was the man who actually struck the blows which caused Ameer Sab's death.

I would therefore confirm the conviction and sentence of the 3rd appellant - 3rd accused Futtappa.

(Signed) A. K. Thambiah

Offg. CHIEF JUDGE.

HR. JUSTICE B. SUBBAIYA.

I entirely agree and in doing so would like to add in support of the alteration of the conviction of the 2nd accused into one for grievous hurt, that the evidence is quite adequate to hold that he instigated and was a party to the conspiracy to the beating of Ameer Sab and though it may be argued that the said evidence is not sufficient to hold that the 2nd accused knew that ~~the~~ grievous hurt would be caused it must be held that he intended the probable consequences of the abetment, and under Section 111 of the Indian Penal Code, though it may be too much to conclude that murder was the probable consequence of the abetment to which the 2nd accused was a party, it may safely be inferred that the ~~consequence~~ hurt such ~~unit that~~ he sanctioned or was likely to flow as a probable consequence of what he had sanctioned was grievous hurt; and he is liable for it in the same manner as if he had directly abetted it. See Goluck Chang 5 W. R. 75 and Doorgamer Sarmah 7 W.R. 61

(Signed) B. Subbaiya

JUDGE.

In the result the convictions and sentences of death of the 1st accused C. Puttananjappa and 3rd accused Puttappa are confirmed. The conviction of the 2nd accused Honegar Puttanajappa is altered to a conviction under Section 325 Indian Penal Code read with Section 114 Indian Penal Code and he is sentenced to undergo seven (7) years Rigorous Imprisonment.

(Signed) R B Rama Rao

PRESIDENCY CHIEF JUDGE.

(Signed) B Subbarama

J U D G E.

Copy

Muniyappa

Dy: Registrar

CP & MV.

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Cl 191-24-2

No. 2057

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE.
Bangalore 25th December 1924

LOCAL AND LEGISLATIVE SECRETARIAT
III
30. DEC. 1924
PROTECTION BRANCH

Petition, as shown below, to His Highness the Maharaja is transferred to the Secretary to the Government of His Highness the Maharaja of Mysore, ~~Local & Legislative~~ Department, Bangalore, for disposal

No. 618 of 24-25

By Order,

Mirza M. Ismail

Private Secretary.
to His Highness the Maharaja of Mysore.

GBPM—1,000—18-2-1918

Bangalore
22-12-24

నమ్మన్నాళువశ్రీమన్మహారాజా శ్రీకృష్ణరాజబహదుర్,
బరుదూర్, జి. జి. ఎస్. ఐ. కె. జి. ఐ. ఇ. అవరసన్నిధానదల్లి,

మైసూరుడిస్ట్రిక్ట్ నంజనగూడు తాల్లూకు నగలాపుర గ్రామ
దల్లిరువ వీరశైవమతద గురుకార్ మాళిగవప్పనవరమగ పుట్ట
నంజప్పనఱుండశిఖ పుట్టనంజమ్మనాదనాను అత్యంతవినయ
పూర్వకవాగి ప్రార్థిసికొళ్ళువుదేనెందరె

1. ఈగనుమారుబందువర్షదల్లిందె మేల్కుండ నగలాపుర గ్రా
మద రుద్రిరనఱిద శాలేయుళిసిన అన్న నన్నపశియూదపుట్టనంజ
ప్పనవరు నిజవాగి నిరపరాధిగళాగిద్దరూ హోటిసిన అన్న
చౌశవాగి హొనెగడ దురభాగ్యళాదనన్న పాపపరిపాకవశదింద
లూ నన్నపశియు దౌర్భాగ్యదిందలూ డిటోహాలళిసిన అన్న
నన్నపశియు హాలేయల్ల ప్రేరకనెంబ అంశవు హోటిసిన అన్న
నిద్దవాగి ఆతనిగె మరణాదండనెయు విధిసిల్పట్టిరువుదు నిన్న
ది౦దు దివ్యచిత్తక్కె వేద్యవాగిరబుదు మడాస్కొళ్ళుత్తె.

2. నన్నపశియళందిగళు మత్తు నన్న మావనవరూ ఆద
నగలాపుర మాళిగవప్పనెంబువరు అనేకవర్షగళవరెగె శ్రీరాజ
గృహదల్లి గురుకారీకనవన్న వహిసి మహాపాదదల్లి వెయన్న
మాడి రాజప్రీతియన్న సంపాదిసిరువుదు నన్న జ్ఞానక్కె అరి
శియాగిరబుదు మడాస్కొళ్ళుత్తె

3. నమ్మ మావనవరళందిగళాద నగలాపుర నంజప్ప
శాస్త్రిగళెంబువరు శ్రీమన్మహారాజబిడయురవరళి
లదల్లి లేఖనద అల్లి తమ్మపొండిక్కళవిశ్వాదిగళింద రాజన్న
మనవన్న ఎష్టరమట్టిగె పడెదిద్దరెంబువుదూ ఇవరు రాజ
గృహదల్లియే అభివృద్ధియన్న పడెదుసిద్దరు గళింద సంప్ర
సిద్ధరాగిద్దరెంబువుదూ వృద్ధరముఖదిందలూ మత్తు ఇవ
రంతవిశ్వాదిగళిందలూ చిత్తశుద్ధియాగిరబుదు మడాస్కొళ్ళుత్తె.

4. ఇంతరు పరంపరెయుగి శీతేద్వయన్నపడిద శుద్ధవాద ఈవంశదల్లలుబ్బి ఎనిదనన్న గండనాదపుట్టనంజప్పనేంబువరు కమ్మపూర్వజురంకేదయూ చాక్షిణ్యాదినద్దుణగళింద కూడిద్దారిందు నన్న ఆక్షేపాక్షియుగి బల్లనాదరూ క్రూరవాదద్వేషవు నన్నగంతనన్నమరణదంతనేగెసురిమాడిరువుదన్న నోడిదరినన్నచాపరాశెయు ననగే ప్రశ్నేష్టవాగే కంతంబిరువుదు. యూ వజ్జీవవూ నాను వైదవ్వవ్వజెయన్న అనుభవిసువంతెయూ మత్తు నన్నగండన వంశవిచ్ఛిత్తియూ గువంతెయూ శ్రీరంగనిదవిధివిలాసద దుష్టపరిణామవన్నమఱాబేడదల్లవక్రమువిదిందబిన్నహిళ్ళలు అసమర్థళాగిద్దేనే మఱాస్తామి.

5. మఱాప్రభువే, ప్రశ్నేతదల్లశమ్మజ్యేష్ఠసహోదరియూ దశ్రీజయులక్ష్మమ్మణ్ణంయవర అకాలమృత్యువినిందుంటాద మఱాదుఃఖావధరదల్లశోకారవేశియూదనానుప్రార్థిసిలసుచకవాదరూ వంశోచ్ఛిత్తిమత్తు వైదవ్వగళభీకియింద లుంటాదదుఃఖాకారవశ్యదింద మఱాబేడదల్లప్రార్థనెయిరిసుళ్ళబేకాగిదే మఱాస్తామి.

6. శ్రీజయులక్ష్మమ్మణ్ణంయవర ఆకశాంతిగాగి మాడల్పడువషోడశమఱాదానగళజూకిరుల్లనన్న విశేషప్రాణదానవన్నూనడునన్నగేకొట్టునన్నగేచిరంవవైదవ్వవన్నకప్పిసిసువానినీక్షవన్నదయుమాడిసిన మ్మపూర్వజరాదనగళల్లనంజప్పశాస్త్రిగళ (దేవలాపురదనంజుంతశాస్త్రిగళ) మత్తుమాళగప్పనవశవంశళల్లివిచ్ఛిత్తియుంటాగదంతే ఆకళాదనన్నన్నకాపాడబేకెందు మఱాప్రభుగళాదకమ్మచరణకమలాజగళల్లసాష్టాంగప్రణతళాగి ప్రార్థిసుత్తేనే.

మఱాస్తామి.

మైసూరు
20-12-1924

పుట్టనంజమ్మనరుజు

Bangalore
22-12-44

మైసూరు శ్రీమన్మహారాణీ రీజెంట్ వాణీవిలాసద
మహాసన్నిధానదల్లి,

మైసూరు డిస్ట్రిక్ట్ నంజనగూడు కాల్లూరు నగలేగ్రామద
ల్లిరువ వీరశైవ మకదగురుకార్ మాళిగప్పనవర మగవప్ప
నంజప్పనరుండకిప్పట్టనంజమ్మనాదనా ను అత్యంతవినయ
భక్తిపూర్వకవాగి విజ్ఞాపిసికొళ్ళువుదేనేందరే

1 ఈగసుమారు ఒందువర్షదహిందెమేల్మండనగలేగ్రా
మదల్లిరనడెదకొలెయకేనినల్లనన్నపశింమాదప్పట్ట
నంజప్పనేంబువరు నిజవాగినిశవిరాధిగళాగిద్దరూ కోర్టిన
ల్లి విచారవాగి హొనగెరుకభాగ్యళాదనన్నపావుపరిపా
లకవశదిందలూ మత్తు నన్నపశింయు దొబ్బాగ్యదిందలూ డిటో
కొలెకేనినల్లనన్నపశియు కొలెయల్లప్రేరకనేంబు అంశ
దు కోర్టినల్లసిద్ధవాగి ఆకరణగెమరణాదండనేయు విధి
సిల్పట్టరువుదు ఈసన్నిధియు దివ్యభక్తిళే వేద్యవాగిరబరుల
దు మహారాయి.

2. నన్నపశియు కందెగళు మత్తు నన్నమావనవరూ ఆద
నగలేమాళిగప్పనేంబువరు అనేకవర్షగళవరెగే శ్రీరా
జగ్యరుదల్లిగురుకారీకనవన్ను వహిసి మహాపాదరశీవే
యన్ను మాడిరాజప్రీతియన్ను సంపాదిసిరువుదు ఈసన్నిధా
నక్కే అంతీయంగిరబరుల్దు మహారాయి

3. నమ్మమావనవరకందెగళాదనగలేనంజప్పశాస్త్రి
గళేంబువరు శ్రీముమ్మడికృష్ణరాజఒడెయర వరకాలదల్లి
లిపిదానదల్లకమ్మహొండిక్రకవిక్రాదిగళిందరాజనిన్నవన్ను
ఎష్టరమట్టిగే పడెదిద్దరేంబువుదూ ఇవరురాజగృహదల్లుయే
అభివృద్ధియన్ను పడెదుకొండుబగళిందకుప్రసిద్ధరాగిద్దరేంబు
వుదూ వృద్ధరాముఖదిందలూ మత్తు ఇవరకవిక్రాదిగళిందలూ
బిక్కే శ్రుతవాగిరబరుల్దు మహారాయి.

4. ఇంకరు భరంవరయ్యాగి శ్రీకర్ణంయున్నపడేదశుభవా
చ శ్రీవంశదల్లు ఉద్భవిసిదనన్నగండనాదభుట్టనంజప్పనేం
బువరు కమ్మభూశ్రజశంకేదయూదాక్షిణ్యాభిసిద్ధుణాగ్రంద
కూడిద్వారించు నన్న ఆక్షకాక్షియాగిబల్లినాదరూ క్రూరవాద
దైవవు నన్నగండనన్ను మరణదండనేగే గురిమాడిరువుదన్ను
నోడిదరినన్నకాపుకాశియునననగే ప్రశ్నిష్టవాగి శండంశిరు
వుదు. యూవజ్జీవవూ నానువైద్యవృత్తియన్ను అనుభవి
సువంశేయూ మక్కునన్నగండనవంశవిచ్ఛిత్తియూ గువంశే
యూ ప్రేరిసిదవిధివిలాసదదుష్టపరిణామవన్ను మహా
హాదదల్లు పశ్రమువదిందబన్నేసికొళ్ళలు అసమర్థళూ
గిద్దేనే మహాకాయి

5. జననియ, ప్రక్కదల్లు కమ్మజ్యేష్ఠపుత్రి [redacted] సిదశ్రీ
జయులక్ష్మమ్మణ్ణియవర అకాలమృత్యువినిందుంటాదమహా
దుఃఖావకదల్లు ఘోరకాపియూదనానుప్రార్థిసలనుచి
కవాదరూ వంశోచ్ఛిత్తి మక్కు వైద్యవృదభీరియిందుంటా
దదుఃఖపరివశ్యదిందమహాహాదదల్లు ప్రార్థిసికొళ్ళ
బేకాగిదే మహాకాయి.

6. శ్రీజయులక్ష్మమ్మణ్ణియవర అకాశాంతిగాగి మూడ
ల్పడువషోడశమహాదానగళజ్యోశేయల్లు నన్నపతియ
ప్రాణదానవన్నూకరు ననగేకొట్టు ననగేబరువవైద్యవృ
త్తియన్నకప్పిసి సువానినీకవన్నదయపాలిసి నమ్మభూకృజ
రాదనగళోనంజప్పశాస్త్రిగళ్ (దేవలాపురదనంజుంత
శాస్త్రిగళ్) మక్కు మూళగప్పినవర వంశోచ్ఛిత్తియుంటాగ
చంకిశ్రీమహాప్రభుగళ సన్నిధానదల్లు ఆర్తళాదనన్నబియ
కేయున్ను శిళిసి నన్నన్ను కాపాడబేకెందు లోకమాకేయాద
కమ్మచరణకమలోజగళల్లు సాష్టాంగప్రణామగళాగి ప్రార్థి
సుక్కేనే మహాకాయి

పుట్టనంజుమ్మనకుప్పె

మైసూరు
20-12-1924

SECRETARIAT
LOCAL AND LEGISLATIVE DEPARTMENT
PROTECTION BRANCH
10 JAN
III
No. 2108

29838

2958

CR 91-24-2

35 P

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE,

Bangalore 7th January 1925

9. JAN. 1925

Petition as shown below, to His Highness the Maharaja, is transferred

to the Secretary to the Government of His Highness the Maharaja of Mysore,

Local & Legislative
~~General and Revenue~~ Department, (~~Br.~~ _____), Bangalore for

disposal.

This petition prays to relase the inhabitants of Nagara village, Ranjangud [redacted] praying that Guruvaiah Putta Ranjappa who is a goldsman and who did not commit murder may be released. A memorial has been received from Guruvaiah Putta Ranjappa who has been sentenced to death. This if approved may be filed along with the memorial

14/1/25 15/1/25

15/1

No. 650 of 1924-25

By Order,

Mirza M. Ismail

~~I.C.S.~~

Private Secretary
to H. H. the Maharaja of Mysore.

GBPM—200—23-4-15

ಶ್ರೀ

ಮೈಸೂರು ಮಹಾರಾಜರವರಿಗೆ ಶ್ರೀಮದ್ರಾಜಾಧಿರಾಜ

ಶ್ರೀ ಕೃಷ್ಣರಾಜ ಒಡೆಯರವರಿಗೆ ಬಹದೂರ್ ಜಿ. ಸಿ. ಎಸ್. ಐ.-

ಕೆ. ಸಿ. ಐ. ಇ. ಇವರ ಮಹಾಸನ್ನಿಧಾನಕ್ಕೆ

Bangalore
6.1.25

ವಂಜಿಸಗೂಡುತಿರುವ ಸಮಸ್ತ ಗ್ರಾಮಸ್ಥರಾದ ಈ ಕೆಳಗೆ ಕಾಣಿಸಿರುವ

ಮಾಡುವ ಕೈಕಾರುಪ್ರಾರ್ಥನೆ ವಿಜಯಭಕ್ತಿಗಳಿಂದ ವಿಜ್ಞಾಪಿಸಿಕೊಂಡಂತೆ

ಅಭಿ

ಮಹಾಸ್ವಾಮಿ ಪ್ರಭುಗಳಾದ ನಾವು ಕರ್ಮಭೂಮಿಯಲ್ಲಿ ಪ್ರಭುವಾಗಿ

ಜೀವನ ಮಾಡಿಕೊಂಡು ಅಹರ್ನಿಶಿ ಕರ್ಮಶ್ರೇಯೋಲಾಭವೃದ್ಧಿಯನ್ನು ಇಷ್ಟದೇವ

ರಲ್ಲಿ ಪ್ರಾರ್ಥಿಸುತ್ತಾ ಜೀವನ ಮಾಡಿಕೊಂಡಿರುತ್ತೇವೆ.

ನಮ್ಮ ಗ್ರಾಮವಾದ ಈ ನಗರದಿಂದ ಬಹು ದಿವಸಗಳಿಂದಲೂ ಪ್ರಭುಭಾವ

ವಾಗಿದ್ದುಕೊಂಡು ವಿದ್ವಾಂಸರಾದ ಮಹಾಲಿಂಗಯ್ಯರಯ್ಯಾಳಿಯವರಾದಿಯಾಗಿ ಬಹಳ

ಪ್ರಭುಗಳಲ್ಲಿಯೂ ಜಾತಿದ್ವೇಷ ಮತದ್ವೇಷ ಈರ್ಷ್ಯಾಸೂಯೆಗಳಿಲ್ಲದೆ ನಮ್ಮಲ್ಲಿ

ಯೂ ಸಹೃತ್ತಿಯಲ್ಲಿದ್ದುಕೊಂಡಿದ್ದರು.

ಈ ಗ್ರಾಮವಯಾಜಮಾನಿಕೆಯನ್ನು ಪೂರ್ವಪರಂಪರಾಗತವಾಗಿ ನಡೆದು

ಬಂದ ಶ್ರೀಮತಿ ಕೃಷ್ಣರಾಜ ಒಡೆಯರವರ ಪಾದಾರವಿಂದಗಳಿಗೆ ಸಮರ್ಪಿಸಿದ್ದು

ಪ್ರಮುಖರಾಗಿದ್ದುಕೊಂಡು ಶ್ರೀ ಶೃಂಗೇರಿ ಮತ್ತು ವಿರಕ್ತಮಠಗಳಿಗೆ ಹೋಗಿ ಬರುವ

ಗಳಿಂದ ಪರ್ವದಿವಸಗಳಲ್ಲಿ ವಿದ್ವತ್ಸಂಭಾವನೆಯನ್ನು ಪಡೆಯುತ್ತಾ ಇದ್ದ ಜೀವನವು

ದನ್ನು ಹೊಂದಿ ಶಾಸ್ತ್ರಿಗಳೂ ಅಲ್ಲದೆ ಅಸುಕ್ರಮವಾಗಿ ಮಾತಿಗೊಂದು

ರುತ್ತಾ ಗಂಭೀರವಾದ ನಮ್ಮ ಗ್ರಾಮಕ್ಕೆ ಏಕಮ್ಮಕಾಳ್ವ ಏಕಮ್ಮಕಾಳ್ವ ಎಂದು ಭಾವಿಸಿಕೊಂಡು

ಕಾಲಾನುಗುಣ್ಯವಾಗಿ ನಮ್ಮ ಗ್ರಾಮವನ್ನು ಅಂತಿಮ ಮುಟ್ಟಿಸಿ ಸುಖವಾಗಿರುವಂತೆ ಮಾಡಿದ

ಗರ್ವಪನ್ನು ತೀರಾಲಂಕರಿಸಿಕೊಂಡಿದ್ದರು ಇವರಮನೆಯ ಒಂದರಿಂದ ನಮ್ಮ ಗ್ರಾಮಕ್ಕೆ ಲಕ್ಷ

ರೂಪಾಯಿಗಳಿಗಿಂತಲೂ ಹೆಚ್ಚಿನ ಹಣವು ಈ ಮನೆಯ ಪರಂಪರೆಯಲ್ಲಿ ಈ ಮನೆಯ ದವರಿಂದ

ಮಾಡಲ್ಪಟ್ಟಿರುತ್ತದೆ.

P.T.O

కాగిత అభివినయదింద చింతకాయల వంశమ్మవిద్వాంసకేసరికి శ్రీకాకుళాదక్షజనులు..

లింగనాయ్యనబడచ
హెబ్బట్టినగుర్తినవారు

యుచిమూశలిలింగనాయ్య
నబరహుహెబ్బట్టినగుర్తినవారుయు

నరసింహాచార్యనరుచి

మాళగినాయ్యనబడహెబ్బట్టిన
గుర్తినవరుయు

లక్ష్మీశట్టిరుయు

కొండెయిల్లప్పశెట్టిరుయు

M. Lingaunah.

సిద్ధనాయ్యనబరహుహెబ్బ
ట్టినగుర్తినవరుయు

H. J. Lingaunah

నంజేగౌడనరుబ్బు

రాయనాయ్యనబరహ
హెబ్బట్టినగుర్తినవరుయు

భీమనగ్నినరుయు

పుట్టగౌమయ్యనరుయు

పరశురామనాయ్యన
బడబహెబ్బట్టినగుర్తినవరుయు

బాలవలంగేసౌరనరుయు

మాజిలిరీఖాన్‌సాహిబరుయు

చిక్కశినాయ్యనబరహ
హెబ్బట్టినగుర్తినవరుయు

బసవయ్యనరుయు

చుట్టలింగయ్యనరుయు

మాదప్పనరుయు

అంకనాయ్యనబడచహెబ్బ
ట్టినరుయు

అరసనాయ్యనబడచహెబ్బ
ట్టినగుర్తినవరుయు

చొంతాలనాయ్యనయుయుపు
యుళిగినాయ్యనబడచహెబ్బ
ట్టినగుర్తినవరుయు

సోవరసయ్యనరుయు

సిద్ధయ్యనరుయు

పెద్దిలింగప్పనరుయు

సుబ్బప్పనారుబ్బి

చిక్కిలింగప్పనరుయు

సిద్ధలింగెగౌడనరుయు

హొళ్ళగాడనరుయు

ಪಂಚಮರು

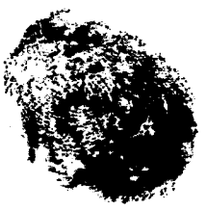
ಯಜಮಾನ ವೀರನ ಎಡಹೆಬ್ಬೆಟ್ಟಿನ
ಗುರ್ತಿನ ಸರುಬು

ಜೀವಕಳೆಯ ಎಡಹೆಬ್ಬೆಟ್ಟಿನ
ಗುರ್ತಿನ ಸರುಬು

ತಾಳ್ಮೆಯ ಎಡಹೆಬ್ಬೆಟ್ಟಿನ
ಗುರ್ತಿನ ಸರುಬು

ಜೋಗಿಯ ಎಡಹೆಬ್ಬೆಟ್ಟಿನ
ಗುರ್ತಿನ ಸರುಬು

ಮೂಡನ ಎಡಹೆಬ್ಬೆಟ್ಟಿನ ಗುರ್ತಿನ
ಸರುಬು



ಎಡಕ್ಕೆ ಬೂತಿ

ಸಿದ್ದರ ಎಡಹೆಬ್ಬೆಟ್ಟಿನ ಗುರ್ತಿನ ಸರುಬು

ಮರಿಸಿದ್ದನ ಎಡಹೆಬ್ಬೆಟ್ಟಿನ
ಗುರ್ತಿನ ಸರುಬು

ರಾಯನ ಎಡಹೆಬ್ಬೆಟ್ಟಿನ ಗುರ್ತಿನ ಸರುಬು

ಲಕ್ಷ್ಮಿನ ಎಡಹೆಬ್ಬೆಟ್ಟಿನ ಗುರ್ತಿನ ಸರುಬು

ಗುರುಸಿದ್ದನ ಎಡಹೆಬ್ಬೆಟ್ಟಿನ ಗುರ್ತಿನ ಸರುಬು

leo

G. R. S. 26]

File No.

Serial No. 3

Diary No. of letter replied to

No. 3652

General and Revenue Secretariat

( )

, the *191* .

To

The S. P. of Police

Sir

Date of issue 19/1/25

Signed by

I am directed to state that 2 memorials have been received from Perumal Puttaswamappa and Puttappa accused nos 1 & 3 in Mysore Sessions case no 14 of 234 on the file of the Sessions Judge Mysore Un and appellants in Cr Appeal no 90 of 234/Cr Regd cases 7 of 234 on the file of the Chief Court and to request you to kindly forward the special diaries of the police officers in the investigation of the case

SUBJECT.

Have the

17/1

17/1/25

31139

CS 191-24-3128

No. 2203 / 1

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE,
Bangalore 17.1. 1925.

LOCAL AND LEGISLATIVE SECRETARIAT III 20 JAN 1925 PROTECTION BRANCH

18 JAN 1925 G. D. SECTION

Petition, as shown below, to His Highness the Maharaja is transferred to the Secretary to the Government of His Highness the Maharaja of Mysore, Home & L Department, Bangalore, for the Continuation of this Office No 2052 dated 25.12.24

This is a petition from one Puttanarjamma, wife of Puttaranjappa accused and sentenced to death & mercy petition to pending receipt No. 684 of 1924-25 of special diaries from the I.G. of Police & approved this will be filed along with the previous papers

By Order,

Private Secretary
to H. H. the Maharaja of Mysore.

ಓಂ.

ನಮ್ಮನಾಳ್ವಳುವ ಶ್ರೀಮನ್ಮಹಾರಾಜಾ. ಶ್ರೀ
ಕೃಷ್ಣರಾಜ ಒಡೆಯರ್. ಬಹದ್ದೂರ್. ಜಿ. ಸಿ. ಎಸ್. ಐ. ಕೆ.
ಸಿ. ಐ. ಇ. ಎಲ್. ಎಲ್. ಡಿ. ರವರ ದಿವ್ಯಚರಣಾರವಿಂದಕ್ಕೆ.

ಮೈಸೂರು ಡಿಸ್ಟ್ರಿಕ್ಟ್. ನಂಜನಗೂಡು ತಾಲ್ಲೂಕು. ನಗರ್ತೆ
ಗ್ರಾಮದ ಪಳುವಳಿಗರು ತಾವ್ ಮೂಲ್ಗರ್ಬ್ಬನವರ ಮಗಳು
ಪುಟ್ಟನಂಜಮ್ಮನವರಿಂದ ತಿಳಿಯಪಟ್ಟ ವಿಷಯವೆಂದರೆ. ಸೌಭಾ
ಗ್ಯವ್ರಣಾರ್ಥವಾಗಿ ಅತ್ಯಂತ ಶ್ರದ್ಧೆಯಿಂದ ನಿಮ್ಮ ಪ್ರಾಣಿಸಿ
ಕೊಳ್ಳುವುದೇನೆಂದರೆ.

ಈಗ್ಗೆ ಸುಮಾರು ಮುಂದುವರ್ಷದ ಕೆಳಗೆ ಮೇ
ಲ್ಮಂಡನಗರ್ತೆಗ್ರಾಮದ ಪಳುವಿಗರ ದಳ್ಳುರಿಯಲ್ಲಿ ನಮ್ಮ
ನರಹರಿ ಅಬಿಗಾರ್ ರಾಂಜಿ ಎಂಬವನ ಕೊಂಡಿಕೆಲಸಿನಲ್ಲಿ
ನನ್ನವಿಯೂದಪುಟ್ಟನಂಜಪ್ಪನೆಂಬುವರು. ಬಾಂಧವ
ಥ್ಯವಾಗಿ ನಿರವಿರಾಂಜಿಗಳ್ಳಾಗಿದ್ದರು. ಮೈಸೂರು ಮಹಾರ್
ಜ್ಞ ಕೊಂಡಿಕೆಲಸವಿಚಿತ್ರವಾಗಿ ನಡೆದು. ಇದಕ್ಕಾಗಿ ಳ್ಳಾಂದ
ನನ್ನ. ಬಾಂಧವರಿಂತಿಂದಲೂ. ಮತ್ತು ನನ್ನವಿಯಂದ
ರ್ಯಾಗಿ ಬಂದರು. ನನ್ನವಿಯಂದಿರ ಮಕ್ಕಳಾದ ಇಟ್ಟಿದ್ದಲಿಂ
ಗರು ನಮ್ಮ ಕೆಡೆ ಡಿಫೆಕ್ಟಿವ್ ಕೆಲಸಗಳ್ಳು ಅನೇಕರು ಕೋ
ಟೆಯಲ್ಲಿ ಕಾಂಟ್ರಾಕ್ಟು ಇದ್ದಾಗ್ಗೂ ಎಂದೂ ಸರ್ಕಾರವ್ಯಾ
ಡಲಿಲ್ಲವು. ಮೇಲ್ಮಂಡಲಕೊಂಡಿಕೆಲಸ ಮಾಡಿಯುವುದಕ್ಕೆ ಮುಂಚೆ
ನಗರ್ತೆಗಳ್ಳೇ ಊರಲ್ಲುವ ಮುಖಂಡ್ಯಾನರಿಗೂ. ಅಂದರೆ
ಪಟೇಲ್ರಿಗು ಮುನೆ ಮುಖಂಡ್ಯಾನರಿಗೂ. ಮತ್ತು ಮೇಲ್ಮಂಡಲಕೊಂ
ಡಿಯೂದಪ ಅಬಿಗಾರ್ ರಾಂಜಿಗೂ. ಬಗಳ್ಳನಡೆದು. ಅಬಿಗಾರ್ ರಾಂ
ಜಿಯವರು ಮನೆಲಕ್ಷ್ಮೀರವೇ. ಕಿಟೋ ಅಬಿಗಾರ್ ರಾಂಜಿಯವರು ನ
ಗರ್ತೆಗಳ್ಳೇಲೂರು. ಖಾಂಜಿ ವೀರರಾಂಜಿರನ್ನು. ಬಾಕಿನಿಂ

ದಶವಿಂಯಲ್ಲಿದಶ್ಮೆಶೋಂಲಗಿದ್ದದ್ದಕ್ಕಾಗಿ. ಡಿಪೋಂಬೀರ
ಥಾಂಬುರು. ನಂಬಿನಗುಂಡುಬ್ಬಿಡುಲೆ. ಮ್ಮಾಜಿಸ್ಪ್ರೋಟೆ ಶೋಂಟಿಗ್
ನಲ್ಲಿಬಿರ್ವಾಬು ಮುಂಡಿದ್ದರಮೋತಿ ಬೀಶಬಾಂಬುರತಡಿನ
ಗತೀಪಟಿಲೆ ಅಂಶಕ್ಲಿನವರು. ಮುಂಬಲ್ಮಾನರೂಂ ಮುಕ್ಕುಬ
ಶವಾರದವರೂಂಬು ಕಾಂಬಿಬುಂಬಿದಗಳ್ಳು. ಸಾಂಕ್ಷಿ ಶೇಳ್ಳಿಮ
ಕ್ಕೆಲಮೀರ್ಕಾಂಬಿಯು ಕೈಜೈಲೆತು ತಾಗಿ ಬಡ್ಡಮೆಂಬೆಶೇ
ಳ್ಳುಬುದರೋಳ್ಳಗಾಂಗಿ ಮೇಲ್ಲುಂಡಶೆಂತಿನಡೆದಿರುಬ್ಬುದಿಂ
ದಚ್ಚದಂಬಂಧವಾಂದರಿಶಿರ್ಡುಗಳ್ಳುನಮ್ಮಾಲ್ಸದ್ದರುಂತಿದ
ನ್ನುಕಾಂಬರ್ಕಾಡದೆಯೂಂ. ಮತ್ತೊಂದಿಂಯೂಂಗಿವಾಂದಿಬದೇ
ಯೂಂಶೋಂದಬ್ಬರಿಂದ ಶೆಂಂಟಿಡನವರು. ಮೇಲ್ಲುಂಡಗ್ರಾಮ
ದಲ್ಲಮಲನಿಲ್ಮಾನರಲ್ಲಿಲ್ಲವರಡುಬಂಗಡವಾಂಗಿಬಬ್ಬಿರಿಕೊಬ್ಬ
ರಿಗಿಬ್ಬೈಷಿಬಿತ್ತೆಂಬವಿಳ್ಳಲುಲ್ಲೂಮತ್ತು ತಾಶೇಸಿನಲ್ಲಲ
ಪ್ರೋವರ್ತಾಗಿದ್ದವನು ನಿಲ್ಲುಲ್ಲಾಂರನೆಂಬುಳ್ಳುಂರುಜು
ವಾಂತಾಗಿದ್ದರೂಂ. ನಮ್ಮಲ್ಸಲಡ್ಡಾನ್ಸೆಕೆಗಿದುಶೆಲ್ಲೊಂಡುನರಿ
ಯೂಂಗಿತಿಲಬಿ ಮುಂಡಬಿ ಶೋಂಲದ್ದರಿಂದಕೂಡಾಕ್ಕಾಗಿ ತಗಾಬೆಲಿಸೊ
ಟಿ ಲನನ್ನು ತೋಟ್ಟಿದ್ದಕ್ಕಾಗಿ. ನನ್ನಬಿಕಿಗಿಬಿರೋಂಧವಾಗಿ
ನನ್ನಬಕಿಗಿ ದ್ವೇಷಿಗಳ್ಳಾಂದ ದಾಂಯುಂದಿಗಳ್ಳಪ್ರೀತಿಲಬನಿಯಂ
ದ ತೋಂಟ್ಟೋದೆಲವ ಎಂಬಖೀತತಾಂರನಸಾಕ್ಷಿಯಬೋಲೆ. ನ
ನ್ನಬಿಂಯು ಮೇಲ್ಲುಂತ ಕಿಂತಿಗಿಬ್ರೀತಶಿಸಿಂದು. ನಂಖನನ್ನ
ಬಿಕಿಗಿಮರಣಾದಂಡನೆಯನ್ನುವಿಧಿಸಿರುವುದು. ದನ್ನಿಧಿಯಬ
ರಾಂಬುರಿತೆಲಿಗ್ಗೆ ಈ ಸಂದಿ ನನ್ನಬಿಂಯಲನನ್ನಿಧಾನಕ್ಕೆಬಿಸ್ಸಿ
ಶತಶತ್ಸಿರಿಶಿರ್ಡುಗಳ್ಳಿಂದ ದಿಪ್ಪಖಿತ್ತಿಕ್ಕೆ ವೇದ್ಯವಾಗಿರಬಲ್ಲುದು
ಮಕಾಸ್ಪಾಬಿಲಿಂ

ನಮ್ಮವೂಂವನವರಿಂದ ಮೂಂಳ್ಳಕ್ಷಿನಳಾ ತಂದೆ
ಯೂಂ. ಮತ್ತೆನನ್ನಬಿಂಯ ಬಿತಾಮಹರೂಂತಾದ ದೇವಲಾಂ
ಪುರದ. ನಂಖುಂಡಶಾಸ್ತ್ರಿಗಳ್ಳಿಂಬುವರು ತಾಳಾದಶ್ರೀವಮುಮ್ಮಾ
ಡಿಶೆಶ್ಮಿಸ್ಮೀರಾಂಬಬಡೆಯರವರಶಿಂತಾಲದಲ್ಲಿತಾಧಾರ್ಥಿನದಲ್ಲಿ ಬೊಂತಿ
ಶ್ಮೆ. ಶವಿಶ್ವಾದಿಗಳ್ಳಿಂದ ಎಟ್ಟೋರಮಟ್ಟಿಗೆಬನ್ನಾವವನ್ನುವಿ
ಡಿಬಿಬ್ಬರಿಂಬುವುದುಂತಾವರು ಮುಂಡಿರಕ್ಕೆ. ಹೊಗಂದಿಕೊಂಬಿ

రిణాయు. వృత్తిరక్కావళ్ళి. భిరాముండిలక్ష్మీలక్ష్మి. అంజనీకాంజ్ఞాలక్ష్మి. యదువంశావళ్ళి. లక్ష్మీపరిణామ్ఞానం ముండిలక్ష్మీరశతకే. ఇవేలవులంశాద అనేకశృంధళ్ళం దలూ. వుక్తవృద్ధరవులఖబిందలూ కున్నిధిగే శ్నీశేవిరళుదుమ కాంక్షాబి

అల్లదినమ్మమాంవనవకాందమాళ్ళగళ్ళినలూం శిరాంతా ఎల్లస్థాంగదల్లాయూంశమ్మశేందేయువరాంద నంజుం డశాస్త్రిగళ్ళగుణాగళ్ళన్నెల్లానుధరిసి. అనవరశేలూంగురు అంగఖంగవూంఖర్ణనాంకక్కిరాంగిదబరల్లదే అనేకశివష్ణగళు. శ్రీలరాంఖశృంగదల్ల. తాయుధశాంతాంగురుశనవన్నమూం డిశ్రీలరాంఖళ్ళిగే చాంత్రరాంగిదబరేంబువుదు వృద్ధరవులఖ బిందధన్నిధిగే వేధవ్వాగిరళుదు మకాంక్షామి

ఇంశద భరంవశేయూంగికీశిద్ధంయున్నివడేదమ త్యేశుద్ధావాంద ఈవంశదల్లులు భ్వివిశిదవన్నివశేంయులు కెమ్మాళ్ళూంవర్ణిభరంశేదంయు. దాక్షిణ్యాచి. శబ్దుణాగళ్ళం దశూండిద్దరూం. దైవవున్నళు తిగే మరణాదండనేయున్నా బిధిభువంశేత్రీలశేవిసి ఇన్న నేంఱడిదరి నన్నచావిం శింయు నవిగే శ్రుద్ధళ్ళిశ్వాంగికాండువుదల్లదేయూం వజ్ఞాలవలూ నాను వైధవ్వభీయున్నిలి నుళవిదువంతేయలూం. మేల్లూం డమకనికీలయురాదవనంబుండశాస్త్రిగళ్ళమళ్ళగురుశారీవూం ళ్ళగళ్ళినవరవంశవిభిన్నిశ్రీరూంగువంశేంయూంమాండిదవిధి విలాంబద చుట్టుళరిసూంమవన్న మకాబాదదల్ల. ఈబిశ్ర మబేన బిన్నవిసికోళ్ళలు. అదమధ్యళ్ళంగిద్దేనే. మకాంక్షాబి

మేల్లుండకీంతేశేవినల్లవిశేషవాగిధనవ్వ యవాద్వరింద నన్నవతియర్ధమ్మగళ్ళిల్లవూం అన్యాక్రాంత వాదుదల్లదే నన్నవునేయల్ల. నన్నబందుశేర్ణిమళువినం నవిగే ఇన్నారూం బిళ్ళిల్లదే. ఇరువుదరింద నాను అనాథళాంగిద్దేనేంబు విషయవన్న కుబ్బిధిగే బిన్నంబిసిశేం

ళ్ళబేకాంగల్లమకాంక్షాబి.

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ఆద్వరింద ధమ్మప్రభుగళాంద ఖుంచందరవ
రు. అనాథళ్ళప్రార్థనేయన్నుదిళ్ళిశిక్కశ్శేరందు. శీం
తుచిరాంచరాంధియుందనన్నుబరిగెబి ధాయతవాంగిరువదం
రనేయున్నుతప్పిసి బంధవిపేంఆతనే మూడిసి బరిబిళ్ళి
వన్నుశీంట్టు. నన్నకొవమాంగల్లవన్నుకాబిందుపుద
ల్లుదే మకాంబాదదరిశ్రీశైరాంద్ర మేల్లుంతనంబుంత
కాంత్రిగళ్ళమత్తుమాళ్ళగబ్బినవర వంశవు ఆభంద్రాశ్ర
ర్థాయయూఇవంతే అనుగ్రహిసి కాబాడబేకేందు ఆరా
ళ్ళాంగి ఈ పలూల్లు. బిన్నంయిసి కీంతిరుక్కీలనేమకాస్తాబి.

భట్టసంజమ్మనరుడు

LOCAL & LEGISLATIVE SECRETARIAT
32668
III BRANCH
No. C 7621/24

3310

Cts 191-24-P 5

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE.

Dated 29-1-1925.

Encls. 1 file

GENL. & REV. SECTION
FROM
BR.
29. JAN. 1925
TO
G. D. SECTION.

From F. Bowring, Esqr. J.P.
~~The~~ *Inspector-General of Police in Mysore.*

To B. Nagappa, Esqr. Bar-at-law.,
~~The Chief~~ *Secretary to the Government of His Highness*
the Maharaja of Mysore.
Local & Legislative Departments.

SIR,

I have the honor to forward herewith the Police Special Diaries in the Mysore Sessions case No. 14 of 23 (Government Vs Gurukar Puttananjappa and 7 others) under sections 302 & 109 I.P.C. as called for in your letter No P 3652/Cts 191-24-3 dated the 19th instant and to request that the Diaries may be kindly returned when no longer required.

I have the honor to be

Sir,

Your most obedient servant

Inspector-General of Police

LOCAL AND LEGISLATIVE SECRETARIAT
III
7 FEB 35637
PROTECTION BRANCH

3427
P 47

Urgent.

C.S 191-24-6

Bangalore,

Dated 5th February 191~~x~~ 1925.

GENL. & REVENUE SECTION.
BR. P
6 FEB. 1925

From

A. Sreenivasaragavachari, Esq., B.A., B.L.,

THE REGISTRAR OF THE

CHIEF COURT OF MYSORE.

To

B. NAGAPPA, Esq., Bar-at-Law,

THE SECRETARY TO GOVERNMENT,
Local and Legislative
~~GENERAL AND REVENUE~~ DEPARTMENTS.
Bangalore.

Sir,

In continuation of this Office No.487/Cr. dated 23rd December 1924, I am directed to forward ~~a~~ second memorial addressed to His Highness the Maharaja with 6 enclosures noted below* by Gurukar Puttananjappa accused in Mysore Sessions Case No. 14 of 1923/24 on the file of the Sessions Judge of Mysore and appellant in 1st Division Criminal Appeal No. 90 of 1923/24 on the file of this Court.

~~The entire record of the case is herewith forwarded.~~

*1. Registered deed dated 5-7-1920 executed by Hottadeva and his adopted father.
2. A postal acknowledgment.
3. A karar dated 20-3-23 executed by Hotte Deva and his adopted father.
4. Copy of complaint petition in C.C.No. ~~151/21-22~~ 364/22-23 on the file of the Special Second Class Magistrate, Nanjangud.
5. Copy of complaint petition in C.C.No.155/21-22, on the file of the Special 2nd Class Magistrate, Nanjangud.
6. Extract of Register of cases filed in the Magistrate's court, Nanjangud.

I have the honor to be,
Sir,
Your most obedient servant,

Sreenivasaragavachari
5/2/25
Registrar.

Tks.

GPB—1,000—16-8-12

OM

68

To

His Highness Sri Krishnarajendra Wadeyar
Bahadur, G.C.S.I., K.C.I.E.
Maharaja of Mysore.

The humble petition of Gurukar Puttananjappa, son of Gurukar Maligappa, residing at Nagarle Grama, Nanjangud - Taluk.

May it please Your Highness,

1. In my humble petition submitted to Your Highness on 20th December, 1924, I have explained the circumstances under which I was found guilty of abetting the murder of one Amir Sab near Nagarle Village in Nanjangud Taluk, that took place one year ago, and thereby I was sentenced to death. In the said petition, unfortunately, I forgot to bring to the kind notice of Your Gracious Highness that the Counsel whom I had engaged in the Sessions Court for defending me, did not file the following documents in the Court for the reasons best known to himself although they had been given to him by my people and he had them in his possession at the time when he conducted my case.

2. Before I endeavour to show that the abovesaid documents, if had been produced in the Court, would have proved my innocence and the case been ended in my acquittal, I beg to submit that the only evidence upon which both the Lower and Chief Courts relied for upholding the conviction is that adduced only by the Approver and 2nd witness Hotte Dyava. Not only according to Law the Approver's evidence is not believable or to be acted upon, but also the deposition of the Approver himself in this case clearly goes to show that he himself has admitted therein that he has made several false statements. The only other evidence which is favourable to the Prosecution is that of

that of Hotte Dyava, the 2nd Prosecution witness. In my previous petition, I have submitted to Your Gracious Highness that the said Hotte Dyava was an accomplice and according to Law his evidence is not to be considered as corroborating that of the Approver.

3. Even granting that the said Hotte Dyava was not an Accomplice, the following circumstances will prove that he was hostile to me and his evidence is not at all believable.

(a) In the first place, this Hotte Dyava is not a man of position and status owing to the fact that he is a Paria by caste and is living only on daily wages.

(b) In the second place, he became hostile to me as I demanded the return of the advance amount of Rs 50/- made to him and his adopted father as per registered deed executed by both of them on 5-7-1920 as they did not comply with the terms of the said deed or repay the advanced amount. In support of this fact, I beg to submit herewith (1) a registered deed executed by the said Hotte Dyava and his father, in original, (2) a postal acknowledgment containing the signature of his father for his having received the registered Notice of Demand and (3) a Karar executed by both Hotte Dyava and his adopted father on 20th March, 1923 in response to the said registered Notice, praying for the grant of time and promising to repay the amount.

(c) In the third place, that Hotte Dyava was really hostile to me will be further proved by the fact that he was cited as a witness to give evidence against me in the C.C. Case No. 155 of 21-22 filed by his uncle Chickera against me as fifth accused in the Special Second Class Magistrate Court, Nanjangud. The authenticated copy of the complaint is submitted herewith for ready reference.

4. Further, it is not proved by the Prosecution that there had been such an enmity between myself and the deceased as would necessitate me to abet his murder while on the other hand, the following facts go to prove that there was enmity between the deceased Amir Sab and other Muhammadans in Nagarle village itself.

(a) In the first place, in C.C. Case No. 364 of 1922-23,

22-23, one Haji Peerkhan Sab had filed a Criminal Complaint against the deceased Amir Sab in the Special - Second Grade Magistrate Court, Nanjangud, complaining that the deceased Amir Sab attempted to murder him - with his knife in a quarrel which took place between both of them on account of a dispute in connection - with a site purchased from the Government by the Musalmans. The enclosed authenticated copies of the complaint petition as also the deposition of the witnesses examined by the Complainant goto prove the bitterest enmity between the complainant and the deceased Amir Sab.

(b) In the second place, if the whole of the records of the above said case are sent for from the Special Second Grade Magistrate, they will show that Amir Sab's murder took place before the case was about to be - closed and the natural inference that could be drawn is that his murder must have been committed by one belonging to the party of the complainant in the abovesaid case.

(c) In the third place, the enclosed authenticated copy of the complaint petition No. 81 of 1915-16 in the - Magistrate Court, Nanjangud, will show that a complaint had been made by one Jamalsab, a Muhammadan, against the deceased Amir Sab for similar offence.

5. In these circumstances, I most humbly and respectfully pray that your Gracious Highness will be pleased to consider that not only there can be no case against me but also there is not even the probability of my having any hand in the commit of murder while on the other hand, there is evidence to show that there was the bitterest enmity between the deceased Amir Sab and other Muhammadans in the village itself and the evidence of Hotte Dyava, 2nd prosecution witness is not believable. I therefore most humbly pray that necessary orders may kindly be passed for reversing the - sentence and also releasing me immediately.

For which act of justice and benevolence, I, as in duty bound, will be ever grateful and pray God for Your Highness long and happy life.

I beg to remain,
May it please Your Highness,
Your Highness' most loyal subject,
ಖೈದಿ ನಂ ೨೦೮೮ Prisoner No. 3081

Jail, Mysore,
Dated 2-2-1925

Written and signed before me
K. Narasimha Rao
Superintendent
Mysore Jail
2-2-25

G. R. S. VI—S-III/33]

57

DRAFT.

SUBJECT .....

.....

.....

Section. Courts
File No. 191-24
Serial No. 7

No. P. 335

Enc. 2 & 1 file of records (Seal separately)

Diary No. of letter replied to.....

To

The Registrar of the Chief Court of Mysore.

GENERAL AND REVENUE SECRETARIAT,

( )

the.....*191*

Date of issue 23.7.25

Signed by Mysore Secretariat

SIR,

I am directed to forward herewith for information of the Judges of the Chief Court and for communication to the prisoners Gurunkar Putta Nanjappa and Puttappa 1st and 3rd accused in case no 14 of 1923-24 undergoing sentence of death

.....

in the Bangalore Central Jail, copies ~~copy~~ of orders passed by H. H. the Maharaja of Mysore, on the prisoner's memorials commuting the death sentence in the case of Gurunkar Putta-Nanjappa and rejecting the memorial of Puttappa-

were of transportation for life

2. The entire records received with your letter Nos. 487 Cr. and 610 Cr. dated 2-1-25 & 2-2-25 191 are herewith returned.

I have, etc.,

18/7

Secretary to Govt
L & Dept

18/7/25

5 2

In the Matter of a Memorial

of Puttappa, third accused in Mysore Sessions case no 14 of 1923-24 on the file of the Sessions judge, mysore Division and third appellant in Criminal appeal no 909 1923-24/ Criminal Referred Case no 7 of 1923-24 on the file of the Chief Court praying for mercy

His Highness the Maharaja

has been pleased to

direct that the memorial be rejected.

(pft)

Dewan.

WD 02264—GPB—500—5-2-17

53

In the Matter of a Memorial

of Gurukar Putta Nanjappa, 1st accused in Mysore Sessions Case No 14 of 1923-24 on the file of the Sessions Judge, Mysore Dist. and 1st appellant in Criminal appeal no 90 of 1923-4/Crl. Referred Case no 7 of 23-24 on the file of the Chief Court praying for mercy.

His Highness the Maharaja

has been pleased to

Commute the sentence of death passed on him to one of transportation for life

(Sd)

Dewan.

WD 02264—GPB—500—5-2-17

App.F.VI-G1.J

3.4

B650

SUBJECT

Section C8

File No. 191-24

Serial No. 8

Diary No. of letter replied to

No. P.W.2 Rice (Home Records)

To The S. P. Police

Sir

I am directed to return herewith the Special Diaries relating to the Mysore Sessions case no 14 of 23-24 (Govt. vs Govinda Puttaraj appa and 7 others) received with your letter no C 1621/24 & 29.1.25

I have the honour to be Sir Your most obedient servant

General and Revenue Secretariat

( )

, the 192

Date of issue 23/7/25

Signed by for J. S.

of enclosures

23/7/25

pied by

Examined by

over

23/7